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MATT BLUNT

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

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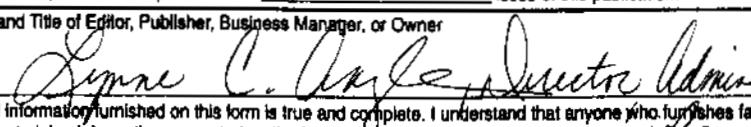
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I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).			

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- Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
- In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use blank sheets if more space is required.
- Be sure to furnish all circulation information called for in item 15. Free circulation must be shown in items 15d, e, and f.
- Item 15h., Copies not Distributed, must include (1) newsstand copies originally stated on Form 3541, and returned to the publisher, (2) estimated returns from news agents, and (3), copies for office use, leftovers, spoiled, and all other copies not distributed.
- If the publication had Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or, if the publication is not published during October, the first issue printed after October.
- In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
- Item 17 must be signed.

Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division

EMERGENCY AMENDMENT

11 CSR 50-2.020 Minimum Inspection Station Requirements. The division proposes to amend subsection (2)(A) by adding a new paragraph 11.

PURPOSE: This amendment is being made to require inspection stations to have a device capable of checking the light transmission of tinted windows as required by section 307.173.

*EMERGENCY STATEMENT: This emergency amendment will help assure public health, safety and welfare by providing a procedure for identifying vehicles with excessive window tint on the side and rear windows. The legislature has found that tinted side and rear windows in excess of 35% ± 3% are a hazardous situation for both law enforcement personnel and the motoring public. Senate Bill 244 was enacted as a means to address excessive window tint. The patrol finds an immediate danger to public health, safety and welfare to the citizens of Missouri and a compelling governmental interest, which requires emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The patrol believes this emergency*

regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed August 15, 2001, effective August 28, 2001, and expires February 28, 2002.

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

1. Brake performance. Some method of testing the service brake performance will be required. The use of a decelerometer, brake testing machine, dynamometer or drive and stop test will be recognized;

2. Brake lining gauge. A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

3. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

4. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

5. Lift or jack. A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member or frame;

6. Scraper. A scraper to remove old stickers;

7. Measuring device. Yardstick or steel tape preferred;

8. Punch. An open face paper punch with a round die to validate inspection stickers and decals;

9. A tire tread depth gauge which is graduated into one-thirtieth-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; *[and]*

10. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses.; *and*

11. A device which is capable of measuring or comparing the light transmission of all tinted windows.

AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division

EMERGENCY AMENDMENT

11 CSR 50-2.270 Glazing (Glass). The division proposes to amend subsection (5)(C) and paragraph (5)(C)1.

PURPOSE: This amendment is being made to establish procedures for inspection stations to follow when inspecting vehicles with after-market tinted windows.

EMERGENCY STATEMENT: This emergency amendment will help assure public health, safety and welfare by providing a procedure for identifying vehicles with excessive window tint on the side and rear windows. The legislature has found that tinted side and rear

windows in excess of 35% \pm 3% are a hazardous situation for both law enforcement personnel and the motoring public. Senate Bill 244 was enacted as a means to address excessive window tint. The patrol finds an immediate danger to public health, safety and welfare to the citizens of Missouri and a compelling governmental interest, which requires emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The patrol believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed August 15, 2001, effective August 28, 2001, and expires February 28, 2002.

(5) Reject vehicle if:

(C) *[Any manufactured vision reducing material is applied to any portion of the motor vehicle's windshield, side wings or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle, except any label, sticker, decal-comania, or informational sign required by law, ordinance or regulation may be affixed as directed. (Do not reject vehicle for tinting material applied to the uppermost portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.)] After-market vision reducing material is applied to the vehicle's side and/or rear windows which allows less than 35% \pm 3% light transmission;*

1. *[Do not reject a motor vehicle for which the current vehicle owner submits a window tinting permit SHP-524B, issued by the Missouri State Highway Patrol. Record the number of the window tinting permit on the MVI-2 form (see 11 CSR 50-2.120) in the space entitled "Defective Parts" by entering the following statement: Tinting Permit #___] Inspector/mechanics will determine whether tinted glass is factory installed or an after-market application. All tinted windows, except those with factory installed tinted glass, will be inspected for light transmission by use of window tint comparison strips or other device capable of measuring light transmission. Once a comparison or reading is taken, the results will be recorded on the MVI-2 form in the space entitled "Defective Parts" identifying the window(s) measured and the results of the comparison or readings;*

AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 1—Wildlife Code: Organization

PROPOSED AMENDMENT

3 CSR 10-1.010 Organization and Methods of Operation. The department proposes to amend section (2).

PURPOSE: This amendment corrects a title change.

(2) The commission appoints a director who serves as the administrative officer of the Department of Conservation. The director appoints other employees and is assisted by a deputy director with programs and activities carried out by the divisions of fisheries, wildlife, forestry, protection, design and development, outreach

and education, administrative services, private land services, natural history and human resources. An assistant *[to]* director provides leadership for special projects and initiatives as assigned by the director; notably legislative liaison, partnerships with other entities, etc.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 28, 1974, effective July 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 3, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 100—Division of Credit Unions Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

4 CSR 100-2.040 Loans. The director of the Division of Credit Unions proposes amending this rule by amending the Purpose, deleting current sections (1), (2), (3), and (4), adding a new section (1), and renumbering current sections (5), (6), and (7).

PURPOSE: This proposed amendment deletes requirements concerning how specific documents are to be prepared and codifies the requirement, currently implemented as part of the examination process, of maintaining current written lending policies.

PURPOSE: [In order to protect the consumer borrower as well as the lending credit union, this rule establishes the minimum requirements to be met for all credit union loans (see sections 370.140(1), 370.220(4) and 370.310, RSMo for statutory requirements).] This rule establishes the requirement of maintaining current written lending policies and establishes requirements concerning loans to certain credit union officials.

(1) [All notes and security agreements must be completely filled out in detail.] Each credit union will maintain current written lending policies. Written lending policies will be sufficiently detailed to adequately address all lending activities and products.

[(2) Security must be stated on note and listed on security agreement in sufficient detail for identification.

(3) All such instruments shall be typed or in ink.

(4) It is highly recommended that signatures be witnessed on notes, security agreements and financing statements.]

[(5)] (2) No member of the board of directors or of the supervisory or credit committee shall enter into loan contracts with the credit union where the total loans outstanding at any one (1) time shall exceed twenty-five thousand dollars (\$25,000), except for loans secured by mortgages on primary and secondary borrower-occupied residences, negotiable securities, licensed motor vehicles (licensed motor vehicle shall be defined as a noncommercial vehicle licensed to operate on a highway or waterway) or shares. It is recommended that employees of the credit union shall be subject to similar loan restrictions.

[(6)] (3) In processing the loan application of a member of the board of directors or of the credit or supervisory committee where the official makes application to the credit union of which s/he is an official—

(A) The loan application to be approved must receive the majority approval of the members of the credit committee present at the meeting at which the loan application is considered; or

(B) The loan application must be approved by the loan officer in the manner provided in the Credit Union Act and the bylaws of the credit union adopted and where the loan is so approved.

[(7)] (4) When a member of the board of directors or of the credit or supervisory committee makes application to the credit union of which she is an official—

(A) The approval of the loan application shall be reported at the next regularly scheduled meeting of the board of directors. The minutes of the meeting of the board shall include number of the account, name of applicant and amount of loan;

(B) An application for an increase in the credit limit of a previously approved line of credit or credit card loan is considered a new application which, if approved, shall be reported to the board. Periodic advances on a previously approved and properly reported line of credit or credit card loan shall not be considered a new application if the previously approved credit limit is not exceeded;

(C) Any loan to a member of the board of directors or to a member of the supervisory or credit committee that becomes sixty (60) days or more delinquent shall be reported to the board of directors by the president or manager at the next board meeting following the discovery of the delinquency. That report shall be recorded in the board minutes. The board then shall act to make appropriate arrangements to bring the loan(s) current. Arrangements to bring the loan current shall be on terms no more favorable than those available to other members and be acceptable to the director of the Division of Credit Unions. In no event shall a loan to an official become more than ninety (90) days delinquent nor shall any loan remain in a delinquent status more than one hundred eighty (180) days;

(D) No director or member of the credit or the supervisory committee in any manner, directly or indirectly, shall participate in the deliberation of any question affecting his/her application for a loan; and

(E) These provisions also are applicable to officials who enter into contracts for a loan(s) as co-makers.

AUTHORITY: section 370.100, RSMo [1986] 2000. Original rule filed Jan. 15, 1968, effective Jan. 25, 1968. Amended: Filed Sept. 14, 1972, effective Sept. 24, 1972. Amended: Filed Dec. 15, 1975, effective Dec. 25, 1975. Amended: Filed June 8, 1976, effective Sept. 11, 1976. Emergency amendment filed Feb. 14, 1984, effective Feb. 24, 1984, expired June 23, 1984. Amended: Filed March 12, 1984, effective June 11, 1984. Amended: Filed May 4, 1987, effective July 23, 1987. Amended: Filed Oct. 12, 1988, effective Feb. 11, 1989. Amended: Filed Oct. 11, 1991, effective March 9, 1992. Amended: Filed Aug. 9, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Credit Unions, John P. Smith, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 100—Division of Credit Unions

Chapter 2—State Chartered Credit Unions

PROPOSED AMENDMENT

4 CSR 100-2.160 [Semi-Annual] Call Reports [of Conditions]. The director of the Division of Credit Unions proposes amending this rule by amending the title, the purpose, and current section (1).

PURPOSE: This proposed amendment allows the director to require a credit union to file call reports, as often as quarterly, if a credit union is required to file quarterly call reports with the National Credit Union Administration.

PURPOSE: This rule [gives the director the power to require a semi-annual report of condition, in addition to the annual report, when necessary (see section 370.110(1), RSMo for statutory provisions).] establishes requirements for submitting call reports to the Division of Credit Unions.

(1) *[In addition to the annual report, s/State-chartered credit unions shall submit [a semiannual report of condition which shall contain information all prepared in the manner as the director of credit unions shall deem necessary] call reports and supplemental information to the Division of Credit Unions as prescribed by the director, as often as four (4) times a year, but no more often than a credit union is required to file a call report with the National Credit Union Administration. [This report shall reflect the condition of the credit union as of June 30 and shall be submitted no later than July 20 of the same year.]*

AUTHORITY: section 370.100, RSMo [1986] 2000. Original rule filed Dec. 15, 1975, effective Dec. 25, 1975. Amended: Filed June 8, 1976, effective Sept. 11, 1976. Emergency amendment filed Feb. 14, 1984, effective Feb. 24, 1984, expired June 23, 1984. Amended: Filed March 12, 1984, effective June 11, 1984. Amended: Filed Aug. 9, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Credit Unions, John P. Smith, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS**
**Division 70—Missouri Assistive Technology Advisory
Council**
Chapter 1—Assistive Technology Programs

PROPOSED AMENDMENT

8 CSR 70-1.010 Telecommunications Access Program. The council proposes to amend sections (3), (4), (5), and (9).

PURPOSE: This amendment is being proposed in order to be consistent with statute change, HB 567 (2001) effective August 28, 2001. The proposed amendment adds licensed hearing instrument specialists to the list of certifiers for the Telecommunications Access Program, establishes a full licensure requirement for all individuals who certify, and establishes standards and procedures for equipment approving agents. Equipment approving agents with knowledge and expertise in adaptive equipment are necessary to ensure an appropriate match between an individual with a disability and adaptive telecommunications equipment as required by section 209.253.3(2), RSMo.

(3) Applicant Eligibility.

(A) Eligible applicants shall:

1. Be certified by a licensed physician, audiologist, speech pathologist, **hearing instrument specialist** or qualified agency as unable to use traditional telecommunications equipment due to disability;

2. Have specific adaptive telecommunications equipment designated by an approved agent;

/2./3. Be residents of Missouri;

/3./4. Meet financial income standards;

/4./5. Have access to basic telephone equipment and service if applying for adaptive telephone equipment or have access to basic */i/*Internet equipment and service if applying for adaptive computer equipment.

(4) General Application and Certification Procedures.

(A) Individuals shall apply for equipment from the program, on forms approved by the program administrator, that include:

1. Applicant name, address, home and work phone, date of birth, Social Security number;

2. Assurance of Missouri residency, assurance of current access to basic telephone equipment and service, assurance of income level;

3. Identification of current or past use of adaptive equipment;

4. Specific request for specialized equipment or request for assistance in selecting equipment;

5. Original applicant /S/signature and date.

(D) Certifying agents shall, on forms approved by the program administrator, certify that the applicant, by name, is unable to use traditional telecommunications equipment because of a specific category of disability *[and/]*. **Equipment approving agents shall designate that the applicant needs specific adaptive equipment as identified on *[the application form]* forms approved by the program administrator.** The certifying agent shall sign and date the certification and provide state license *[or certification]* number if certifying as a physician, audiologist, **hearing instrument specialist** or speech pathologist. **Certifiers shall possess full licensure, not temporary or provisional.** Approved agency representatives **certifying** shall provide the name of the approved agency. All certifying agents shall provide their name, address, and phone number to enable the program administrator to contact them

as necessary. **Equipment approving agents shall sign the equipment designation form and shall provide their approval number.**

(5) Approval of Certifying and Equipment Approving Agencies and Agents.

(B) Entities desiring to be designated as an equipment approval agent shall participate in training provided by the program administrator. Such training shall include specific information about adaptive telecommunications equipment to support appropriate equipment selection. Upon satisfactory completion of training, the program administrator will provide equipment approval designation.

/[B]/[C] The program administrator will maintain a list of approved certifying and equipment approval agencies and those personnel of the agency who are approved to certify and designate equipment matches. A list of approved certifying and equipment approval agencies will be included with applicant education information and otherwise made available as widely as possible.

(9) TAP for Telephone Specific Procedures.

(B) Application Processing—The program administrator shall process TAP for telephone applications and deliver equipment and services that assure an appropriate match between an individual with a disability and adaptive equipment.

1. Each application shall be reviewed for completeness. If any information is missing, the applicant will be contacted and requested to supply such information.

2. Each applicant's eligibility will be verified by information provided on the application form.

3. If the application:

A. Requests equipment on the approved list, the request will be matched with disability description, as provided by the application form or equipment worksheet, and approved.

/B. Does not request specific equipment, but instead requests assistance in determining equipment needs, the applicant will be contacted and such assistance provided./

/C./ B. Requests equipment not on the approved list, the explanation will be reviewed to determine if the equipment is necessary for basic telephone access and is cost effective as compared to devices on the list. If so, the equipment request will be approved.

4. Upon verification of applicant eligibility and determination of equipment/disability match, the program administrator shall order the equipment from an approved vendor and will notify the applicant that the equipment has been ordered.

5. Equipment orders shall include applicant name, make and model of equipment ordered, applicant shipping address, and date of order. The program administrator shall transmit equipment orders directly to the vendor by facsimile or via other time expedient mechanism that is mutually agreeable.

6. Applicants will be notified if their equipment request cannot be approved as submitted and will be asked to revise their equipment request accordingly.

7. Upon receipt of equipment order, the vendor shall ship the equipment directly to the applicant's Missouri residence by verifiable delivery mechanism.

8. The vendor shall provide the program administrator with a monthly invoice of all equipment ordered and delivered.

9. The program administrator may establish alternative and pilot programs to increase program quality and consumer satisfaction. A voucher program for targeted types of adaptive telephone equipment may be implemented as an option to increase consumer choice for those applicants who are experienced users of such equipment.

AUTHORITY: section 209.253, RSMo 2000. Emergency rule filed July 28, 2000, effective Aug. 28, 2000, expired Feb. 23, 2001. Original rule filed July 28, 2000, effective Jan. 30, 2001. Emergency amendment filed Dec. 21, 2000, effective Dec. 31, 2000, expired June 28, 2001. Amended: Filed Dec. 21, 2000, effective June 30, 2001. Amended: Filed Aug. 7, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Assistive Technology Advisory Council, 4731 Cochise, Suite 114, Independence, MO 64055. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations

PROPOSED AMENDMENT

10 CSR 40-10.020 Permit Application Requirements. The commission is amending subsection (2)(D). The forms that follow this rule in the *Code of State Regulations* are being deleted.

PURPOSE: This rule is being amended in order to add requirements to the permit applications for in-stream sand and gravel mining operations that will comply with standards designed to protect the stream environment and adjacent properties from damage.

(2) As required by section 444.772, RSMo, an applicant shall provide a complete application package submitted which includes the following:

(D) A plan of operation and reclamation which meets the requirements of 444.760—444.790, RSMo.

1. The operation plan for surface mine operators shall include:

A. A brief description of topsoil availability, removal and storage as outlined in 10 CSR 40-10.050(6);

B. A brief description and location of spoil placement and disposal;

C. A brief description of handling of acid materials, if applicable; and

D. A brief description of the location and arrangement of the pit if not delineated clearly on the map submitted with the application.

2. All applications shall contain a reclamation and operation plan for the lands and water within the proposed permit area.

3. The reclamation plan shall include, at a minimum:

A. A list of species used for reclamation and the seedling/planting rates/;

B. Methods and timing of seeding/planting;

C. If required by the commission, references to support revegetation methods;

D. A brief description of the grading, topsoiling and revegetation schedules as outlined in 10 CSR 40-10.050(10); and

E. The land use that area is to be reclaimed to and the acreage of each.

4. In-stream operators must describe what measures will be taken to minimize impacts on the stream environment, that is, [where possible, confining active operations to gravel bars rather than in flowing water, restricting haul roads through flowing water and restricting damage to stream banks or bank vegetation to the minimum required to transport material out.] **how they will follow requirements of 10 CSR 40-10.050(13)(D).**

5. The applicant may provide either a short-term or long-term plan for operations and reclamation. A short-term plan shall describe, at a minimum, the activities required by the operation and reclamation plan outlined in this subsection, which will occur over the one (1)-year term of the permit. A long-term plan shall describe, at a minimum, the activities required by the operation and reclamation plan outlined in this subsection which will occur over more than one (1) year. Permits having long-term operation plans will be issued for one (1)-year terms, except that, upon renewal, the applicant is not required to resubmit an operation plan, provided that the operations will continue to be conducted in the manner originally proposed. Also, the operator only must acquire a permit for the portion of the area included in the long-term plan which will be affected over the upcoming one (1)-year term of the permit. But, in no instance shall the operator affect any area outside of the area included in the current approved permit;

AUTHORITY: sections 444.767, [RSMo Supp. 1993,] 444.772, [RSMo Supp. 1992] and 444.784, RSMo [Supp. 1990] 2000. Original rule filed Aug. 2, 1991, effective Feb. 6, 1992. Amended: Filed June 1, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, PO Box 176, Jefferson City, MO 65102, (573) 751-4041. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations

PROPOSED AMENDMENT

10 CSR 40-10.050 Performance Requirements. The commission is adding a new subsection (13)(D).

PURPOSE: This rule is being amended in order to require mining operations for in-stream sand and gravel mining operations to comply with standards designed to protect the stream environment and adjacent properties from damage.

(13) Flood Plain.

(D) Operations that conduct sand and/or gravel removal within the stream banks must comply with the following requirements:

1. The following requirements are designed to protect water quality while allowing for the excavation of sand and gravel from riparian environments. The program may establish site specific guidelines to address conditions that may occur at individual locations.

2. Excavation of sand or gravel deposits should be limited to deposits in unconsolidated areas containing primarily smaller material (at least eighty-five percent (85%) of the material is less than three inches (3") in diameter) that is loosely packed and contains no woody perennial vegetation greater than one and one-half inches (1 1/2") in diameter, measured at breast height four and one-half feet (4.5').

3. An undisturbed buffer of twenty feet (20') should be maintained between the removal area and the water line at the time of excavation, and between the removal area and bank vegetation greater than one and one-half inches (1 1/2") in diameter, measured at breast height. Sand and gravel removal for personal use only should maintain an undisturbed buffer of ten feet (10') in the areas specified in this condition. Width of buffer areas may be modified after an on-site visit determines that a smaller width buffer area would not significantly impact the biological, physical, or chemical integrity of the water resource.

4. An undisturbed buffer of twenty-five feet (25') wide should be maintained in an undisturbed condition landward of the high bank for the length of the gravel removal site. Disturbed areas in this riparian zone should be limited to maintained access road(s) for ingress and egress only. No clearing within this riparian area is authorized in association with work authorized by this permit.

5. Sand or gravel should not be excavated below water elevation at the time of removal. If the stream is dry at the time of excavation, excavation should not occur deeper than the lowest undisturbed elevation of the stream bottom adjacent to the site.

6. Water conveyance areas within the channel should not be relocated, straightened, cut-off, shortened, widened, or otherwise modified. A "water conveyance area within the channel" is defined as that area between the high banks of the creek where water is flowing, or in the case of a dry stream, where water would flow after a rain event as indicated by a defined stream channel.

7. Within thirty (30) days of the removal of excavation equipment from the site, streambank areas disturbed by the removal operation should be revegetated or otherwise protected from erosion. For long-term operations (longer than thirty (30) days) or for sites that will be periodically revisited as gravel is deposited, access points should be appropriately constructed and maintained such that stream banks and access roads are protected from erosion.

8. Any aggregate, fines, or oversized material removed from the site should be placed in an upland, non-wetland site that has been approved by the landowner. No material, including oversized material, that results from excavation activity may be stockpiled or otherwise placed into flowing water or placed against streambanks as bank stabilization.

9. All sand or gravel washing, gravel crushing, and gravel sorting should be conducted above the high bank, in a non-wetland area and away from areas that flood, such that gravel, silt, and wash water that is warm, stagnant, or contains silty material cannot enter the stream or any wetland. All fines resulting from the sorting operation should be captured in a transport truck or other suitable container and removed from the sorting location to a suitable disposal site the same day that the sorting occurs. All sorted aggregate should be removed from the gravel bar at the end of each working day, with the exception of oversized material that will be spread out in the excavation area following project completion.

10. When section 404 of the Federal Clean Water Act applies to a sand and gravel removal operation, spawning season restrictions should be followed.

11. Vehicles and other equipment should be limited to removal sites and existing crossings. Streams should be crossed perpendicular to the direction of the stream. Use of off-road vehicles in streams is also regulated under Missouri state law (section 304.013, RSMo).

12. Fuel, oil and other wastes and equipment containing such wastes should not be stored or released at any location between the high banks or in a manner that would enter the stream channel. Such materials should be disposed of at authorized locations.

13. Sand and gravel operations may require a permit for storm water runoff and/or gravel washing. Contact the appropriate Department of Natural Resources, Regional Office, for information.

14. In-stream sand and gravel operations are prohibited from those waters listed as "Outstanding State Resource Waters" or "Outstanding National Resource Waters" (10 CSR 20-7.031).

15. If any part of the authorized work is performed by a contractor or other party, these conditions should be discussed with the contractor or party. A copy of these conditions should be given to the contractor or other party involved in the excavation activities.

16. Operators should consult with the Missouri Department of Conservation and the U.S. Fish and Wildlife Service as to the presence of state and federal threatened and endangered species in the stream reach in order to avoid jeopardizing the species' continued existence or destroying or adversely modifying the habitat of such species.

AUTHORITY: sections 444.767, [RSMo Supp. 1993,] 444.774 and 444.784, RSMo [Supp. 1990] 2000. Original rule filed Aug. 2, 1991, effective Feb. 6, 1992. Amended: Filed June 1, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, PO Box 176, Jefferson City, MO 65102, (573) 751-4041. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 60—Public Drinking Water Program Chapter 7—Reporting

PROPOSED AMENDMENT

10 CSR 60-7.020 Reporting Requirements for Lead and Copper Monitoring. The commission is amending sections (1), (5), (6), and (7) and adding section (8).

PURPOSE: This amendment adopts changes necessary to be consistent with the federal rule as amended in the January 12, 2000 and June 30, 1994 Federal Registers. These changes are required in order to maintain delegation of the federal program.

(1) Reporting requirements for lead and copper tap water monitoring and for water quality parameter monitoring.

(A) *[A] Except as provided in paragraph (1)(A)7., a water system shall report to the department the following information for all tap water samples and all water quality parameter samples specified in 10 CSR 60-15.080 within the first ten (10) days following the end of each applicable monitoring period specified in 10 CSR 60-15.070, 10 CSR 60-15.080 and 10 CSR 60-15.090 (such as, every six (6) months, annually or every three (3) years):*

1. The results of all tap samples for lead and copper including the location of each site and the criteria under 10 CSR 60-15.070(1) under which the site was selected for the system's sampling pool;

2. Documentation for each tap water lead or copper sample for which the water system requests invalidation pursuant to 10 CSR 60-15.070(6);

[2. A certification that each first draw sample collected by the water system is one liter (1l) in volume and, to the best of their knowledge, has stood motionless in the service line or in the interior plumbing of a sampling site for at least six (6) hours;

3. Where residents collected samples, a certification that each tap sample collected by the residents was taken after the water system informed them of proper sampling procedures specified in 10 CSR 60-15.070(2)(B).]

[4.] 3. The ninetieth percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period (calculated in accordance with 10 CSR 60-15.010(3)(C)), unless the department calculates the system's ninetieth percentile lead and copper levels under section (8) of this rule;

[5.] 4. With the exception of initial tap sampling conducted pursuant to 10 CSR 60-15.070(4)(A), the system shall specify any site which was not sampled during previous monitoring periods and include an explanation of why sampling sites have changed;

[6.] 5. The results of all tap samples for pH and, where applicable, alkalinity, calcium, conductivity, temperature and orthophosphate or silica collected under 10 CSR 60-15.080(2)-(5); and]

[7.] 6. The results of all samples collected at the entry point(s) to the distribution system for applicable water quality parameters under 10 CSR 60-15.080(2)-(5).]; and

7. A water system shall report the results of all water quality parameter samples collected under 10 CSR 60-15.080(3)-(6) during each six (6)-month monitoring period specified in 10 CSR 60-15.080(4) within the first ten (10) days following the end of the monitoring period unless the department has specified a more frequent reporting requirement.

[(B) By the applicable date in 10 CSR 60-15.070(4)(A) for commencement of monitoring, each community water system which does not complete its targeted sampling pool with tier 1 sampling sites meeting the criteria in 10 CSR 60-15.070(1)(C) shall send a letter to the department justifying its selection of tier 2 or tier 3, or both, sampling sites under 10 CSR 60-15.070(1)(D) or (E), or both.

(C) By the applicable date in 10 CSR 60-15.070(4)(A) for commencement of monitoring, each nontransient noncommunity water system which does not complete its sampling pool with tier 1 sampling sites meeting the criteria in 10 CSR 60-15.070(1)(F) shall send a letter to the department justifying its selection of sampling sites under 10 CSR 60-15.070(1)(G).

(D) By the applicable date in 10 CSR 60-15.070(4)(A) for commencement of monitoring, each water system with lead service lines that is not able to locate the number of sites served by those lines required under 10 CSR 60-15.070(1)(I) shall send a letter to the department demonstrating why it was unable to locate a sufficient

number of these sites based upon the information listed in 10 CSR 60-15.070(1)(B).

(E) Each water system that requests that the department reduce the number and frequency of sampling shall provide the information required under 10 CSR 60-15.070(4)(D).]

(B) For a nontransient noncommunity water system, or a community water system meeting the criteria of 10 CSR 60-15.060(3)(G)1. and 2., that does not have enough taps that can provide first-draw samples, the system must either:

1. Provide written documentation to the department identifying standing times and locations for enough non-first-draw samples to make up its sampling pool under 10 CSR 60-15.070(2)(E) by the start of the first applicable monitoring period under 10 CSR 60-15.070(4) that commences after April 11, 2000, unless the department has waived prior department approval of non-first-draw sample sites selected by the system pursuant to 10 CSR 60-15.070(2)(E); or

2. If the department has waived prior approval of non-first-draw sample sites selected by the system, identify, in writing, each site that did not meet the six (6)-hour minimum standing time and the length of standing time for that particular substitute sample collected pursuant to 10 CSR 60-15.070(2)(E) and include this information with the lead and copper tap sample results required to be submitted pursuant to paragraph (1)(A)1. of this rule.

(C) No later than sixty (60) days after the addition of a new source or any change in water treatment, unless the department requires earlier notification, a water system deemed to have optimized corrosion control under 10 CSR 60-15.020(2)(C), a water system subject to reduced monitoring pursuant to 10 CSR 60-15.070(4)(D), or a water system subject to a monitoring waiver pursuant to 10 CSR 60-15.070(6), shall send written documentation to the department describing the change. In those instances where prior department approval of the treatment change or new source is not required, water systems are encouraged to provide the notification to the department beforehand to minimize the risk that the treatment change or new source will adversely affect optimal corrosion control.

(D) Any small system applying for a monitoring waiver under 10 CSR 60-15.070(6), or subject to a waiver granted pursuant to 10 CSR 60-15.070(6)(C), shall provide the following information to the state in writing by the specified deadline:

1. By the start of the first applicable monitoring period in 10 CSR 60-15.070(4), any small water system applying for a monitoring waiver shall provide the documentation required to demonstrate that it meets the waiver criteria of 10 CSR 60-15.070(6)(A)-(B).

2. No later than nine (9) years after the monitoring previously conducted pursuant to 10 CSR 60-15.070(6)(B) or 10 CSR 60-15.070(6)(D)1., each small system desiring to maintain its monitoring waiver shall provide the information required by 10 CSR 60-15.070(6)(D)1. and 2.

3. No later than sixty (60) days after it becomes aware that it is no longer free of lead-containing and/or copper-containing material, as appropriate, each small system with a monitoring waiver shall provide written notification to the state, setting forth the circumstances resulting in the lead-containing and/or copper-containing materials being introduced into the system and what corrective action, if any, the system plans to remove these materials.

(E) Each groundwater system that limits water quality parameter monitoring to a subset of entry points under 10 CSR 60-15.080(3)(C) shall provide, by the commencement of such monitoring, written correspondence to the department that identifies the selected entry points and includes information sufficient

to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.

(5) Lead Service Line Replacement Reporting Requirements. Systems shall report the following information to the department to demonstrate compliance with the requirements of 10 CSR 60-15.050:

(B) Within twelve (12) months after a system exceeds the lead action level in sampling referred to in 10 CSR 60-15.050(1), and every twelve (12) months after that, the system shall demonstrate to the department in writing that the system has either—

1. Replaced in the previous twelve (12) months at least seven percent (7%) of the initial lead service lines (or a greater number of lines specified by the department under 10 CSR 60-15.050/(6)/(5)) in its distribution system; or

2. Conducted sampling which demonstrates that the lead concentration in all service line samples from an individual line(s), taken pursuant to 10 CSR 60-15.070(2)(C), is less than or equal to 0.015 milligrams per liter (mg/l). In those cases, the total number of lines replaced or which meet the criteria in 10 CSR 60-15.050(2), or both, shall equal at least seven percent (7%) of the initial number of lead lines identified under subsection (5)(A) of this rule (or the percentage specified by the department under 10 CSR 60-15.050/(6)/(5));

(D) *[As soon as practicable, but in no case later than three (3) months after a system exceeds the lead action level in sampling referred to in 10 CSR 60-15.050(1), any system seeking to rebut the presumption that it has control over the entire lead service line pursuant to 10 CSR 60-15.050(4) shall submit a letter to the department describing the legal authority (for example, state statutes, municipal ordinances, public service contracts or other applicable legal authority) which limits the system's control over the service lines and the extent of the system's control.] Any system which collects lead service line samples following partial lead service line replacement required by 10 CSR 60-15.050 shall report the results and any additional information as specified by the department to the department in a time and manner prescribed by the department, to verify that all partial lead service line replacement activities have taken place.*

(6) Public Education Program Reporting Requirements.

(A) *[By December 31 of each year, a]*Any water system that is subject to the public education requirements in 10 CSR 60-15.060 shall, **within ten (10) days after the end of each period in which the system is required to perform public education tasks in accordance with 10 CSR 60-15.060(3), submit [a letter/ written documentation to the department that contains:**

1. A *[demonstrating]* demonstration that the system has delivered the public education materials that meet the content requirements in 10 CSR 60-15.060(1) and (2) and the delivery requirements in 10 CSR 60-15.060(3).*]; and*

2. *[This information shall include a]* A list of all the newspapers, radio stations, television stations, facilities and organizations to which the system delivered public education materials during the *[previous year. The water system shall submit the letter required by this section annually for as long as it exceeds the lead action level/]* period in which the system was required to perform public education tasks.

(B) Unless required by the department, a system that previously has submitted the information required by paragraph (6)(A)2. of this rule need not resubmit that information as long as there have been no changes in the distribution list and the system certifies that the public education materials were distributed to the same list submitted previously.

(7) Reporting of Additional Monitoring Data. Any system which collects sampling data in addition to that required by this rule shall

report the results to the department *[by/]* **within the first ten (10) days following** the end of the applicable monitoring period under 10 CSR 60-15.070, 10 CSR 60-15.080 and 10 CSR 60-15.090 during which the samples are collected.

(8) Reporting of ninetieth percentile lead and copper concentrations where the department calculates a system's ninetieth percentile concentrations. A water system is not required to report the ninetieth percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period, as required by paragraph (1)(A)3. of this rule if:

(A) The department has previously notified the water system that it will calculate the water system's ninetieth percentile lead and copper concentrations, based on the lead and copper tap results submitted pursuant to paragraph (8)(B)1. of this rule, and has specified a date before the end of the applicable monitoring period by which the system must provide the results of lead and copper tap water samples;

(B) The system has provided the following information to the department by the date specified in subsection (8)(A) of this rule:

1. The results of all tap samples for lead and copper including the location of each site and the criteria under 10 CSR 60-15.070(1)(C), (D), (E), (F) and/or (G) under which the site was selected for the system's sampling pool, pursuant to paragraph (1)(A)1. of this rule; and

2. An identification of sampling sites utilized during the current monitoring period that were not sampled during previous monitoring periods, and an explanation why sampling sites have changed; and

(C) The department has provided the results of the ninetieth percentile lead and copper calculations, in writing, to the water system before the end of the monitoring period.

AUTHORITY: section 640.100, RSMo [1994] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Feb. 1, 1996, effective Oct. 30, 1996. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 10—Plans and Specifications; Siting
Requirements; Recreational Use of Impoundments**

PROPOSED AMENDMENT

10 CSR 60-10.040 Prohibition of Lead Pipes, Lead Pipe Fittings and Lead Solder and Flux. The commission is amending section (2).

PURPOSE: *This amendment adopts changes necessary to be consistent with the federal rule as amended in the January 12, 2000 Federal Register.*

(2) For the purpose of this rule, the term lead-free, when used with respect to—

(A) Solder and flux, refers to solders and flux containing not more than two-tenths percent (0.2%) lead; *and*

(B) Pipes and pipe fittings, refers to pipes and pipe fittings containing not more than eight percent (8.0%) lead; *and*

(C) **Plumbing fittings and fixtures intended by the manufacturer to dispense water for human ingestion**, refers to fittings and fixtures that are in compliance with standards established in accordance with 42 U.S.C. 300g-6(e).

AUTHORITY: *section 640.100, RSMo [Supp. 1989] 2000. Original rule filed June 2, 1988, effective Aug. 31, 1988. Amended: Filed Aug. 14, 2001.*

PUBLIC COST: *This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.*

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: *An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.*

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 60—Public Drinking Water Program

Chapter 15—Lead and Copper

PROPOSED AMENDMENT

10 CSR 60-15.020 Applicability of Corrosion Control Treatment Steps to Small, Medium-Size and Large Water Systems. The commission is amending subsections (1)(B) and (2)(B).

PURPOSE: *This amendment adopts changes necessary to be consistent with amendments to the federal lead and copper rule published in the June 30, 1994 and January 12, 2000 Federal Registers (59 FR 33864 and 65 FR 1950). These changes are required in order to maintain delegation of the federal program.*

(1) A large system (serving more than fifty thousand (50,000) persons) shall complete the corrosion control treatment steps as follows unless it is deemed to have optimized corrosion control under paragraph (1)(B)1. or 2.

(B) A large system is deemed to have optimized corrosion control and is not required to complete the applicable corrosion control treatment steps identified in this section if the system satisfies one (1) of the following criteria:/. Any such large system deemed to have optimized corrosion control, and which has treatment in place, shall continue to operate and maintain optimal corrosion control treatment and meet any requirements

that the department determines appropriate to ensure optimal corrosion control treatment is maintained.

1. The system demonstrates to the satisfaction of the department that it has conducted activities equivalent to the corrosion control steps applicable to large systems. If the department makes this determination, it shall provide the system with written notice explaining the basis for its decision and shall specify the water quality control parameters representing optimal corrosion control in accordance with 10 CSR 60-15.030(7). *[A system shall provide the department with the following information in order to support a determination:]* Water systems deemed to have optimized corrosion control shall operate in compliance with the department-designated optimal water quality control parameters in accordance with 10 CSR 60-15.030(8) and continue to conduct lead and copper tap and water quality parameter sampling in accordance with 10 CSR 60-15.070(4)(C) and 10 CSR 60-15.080(4). A system shall provide the department with the following information in order to support this determination:

A. The results of all test samples collected for each of the water quality parameters in 10 CSR 60-15.030(3)(C);

B. A report explaining the test methods used by the water system to evaluate the corrosion control treatments listed in 10 CSR 60-15.030(3)(A), the results of all tests conducted and the basis for the system's selection of optimal corrosion control treatment;

C. A report explaining how corrosion control has been installed and how it is being maintained to insure minimal lead and copper concentrations at consumers' taps; and

D. The results of tap water samples collected in accordance with 10 CSR 60-15.070 at least once every six (6) months for one (1) year after corrosion control has been installed; *and*/.

2. The water system submits results of tap water monitoring conducted in accordance with 10 CSR 60-15.070 and source water monitoring conducted in accordance with 10 CSR 60-15.090 that demonstrates for two (2) consecutive six (6)-month monitoring periods that the difference between the ninetieth percentile tap water lead level, computed under 10 CSR 60-15.010(3)(C), and the highest source water lead concentration is less than the practical quantitation level for lead specified in 10 CSR 60-5.010(1)(5)(H).

A. Those systems whose highest source water lead level is below the method detection limit may also be deemed to have optimized corrosion control under this paragraph if the ninetieth percentile tap water lead level is less than or equal to the practical quantitation level for lead for two (2) consecutive six (6)-month monitoring periods.

B. Any water system deemed to have optimized corrosion control in accordance with this paragraph (1)(B)2. shall continue monitoring for lead and copper at the tap no less frequently than once every three (3) calendar years using the reduced number of sites specified in 10 CSR 60-15.070(3) and collecting the samples at times and locations specified in 10 CSR 60-15.070(4)(D)4.

C. Any water system deemed to have optimized corrosion control pursuant to this paragraph (1)(B)2. shall notify the department in writing pursuant to 10 CSR 60-7.020(1)(C) of any change in treatment or the addition of a new source. The department may require any such system to conduct additional monitoring or to take other action the department deems appropriate to ensure that such system maintains minimal levels of corrosion in the distribution system.

D. A system is not deemed to have optimized corrosion control pursuant to this paragraph (1)(B)2., and shall implement corrosion control treatment pursuant to subparagraph (1)(B)2.E. of this rule unless it meets the copper action level.

E. Any system triggered into corrosion control because it is no longer deemed to have optimized corrosion control

under paragraph (1)(B)2. shall implement corrosion control treatment in accordance with the deadlines in subsection (2)(A) of this rule. Any such large system shall adhere to the schedule specified in subsection (2)(A) of this rule for medium-size systems, with the time periods for completing each step being triggered by the date the system is no longer deemed to have optimized corrosion control under paragraph (1)(B)2. of this rule.

(2) A small system (serving fewer than three thousand three hundred (3,300) persons) and a medium-size system (serving three thousand three hundred one to fifty thousand (3,301–50,000) persons) shall complete the corrosion control treatment steps specified as follows unless it is deemed to have optimized corrosion control under paragraph (2)(B)1., 2. or 3. of this rule:

(B) A small- or medium-size water system is deemed to have optimized corrosion control and is not required to complete the applicable corrosion control treatment steps identified in this section if the system satisfies one (1) of the following criteria[:]. Any such system deemed to have optimized corrosion control, and which has treatment in place, shall continue to operate and maintain optimal corrosion control treatment and meet any requirements that the department determines appropriate to ensure optimal corrosion control treatment is maintained.

1. The system meets the lead and copper action levels during each of two (2) consecutive six (6)-month monitoring periods conducted in accordance with 10 CSR 60-15.070[:].

2. The system demonstrates to the satisfaction of the department that it has conducted activities equivalent to the corrosion control steps applicable to medium-size or small systems under this section. If the department makes this determination, it shall provide the system with written notice explaining the basis for its decision and shall specify the water quality control parameters representing optimal corrosion control in accordance with 10 CSR 60-15.030(7). Water systems deemed to have optimized corrosion control under this paragraph shall operate in compliance with the department-designated optimal water quality control parameters in accordance with 10 CSR 60-15.030(8) and shall continue to conduct lead and copper tap and water quality parameter sampling in accordance with 10 CSR 60-15.070(4)(C) and 10 CSR 60-15.080(4). The system shall provide the department with the following information in order to support a determination:

A. The results of all test samples collected for each of the water quality parameters in 10 CSR 60-15.030(3)(C);

B. A report explaining the test methods used by the water system to evaluate the corrosion control treatments listed in 10 CSR 60-15.030(3)(A), the results of all tests conducted and the basis for the system's selection of optimal corrosion control treatment;

C. A report explaining how corrosion control has been installed and how it is being maintained to insure minimal lead and copper concentrations at consumers' taps; and

D. The results of tap water samples collected in accordance with 10 CSR 60-15.070 at least once every six (6) months for one (1) year after corrosion control has been installed[: or].

[3. The water system submits results of tap water monitoring conducted in accordance with 10 CSR 60-15.070 and source water monitoring conducted in accordance with 10 CSR 60-15.090 that demonstrates for two (2) consecutive six (6)-month monitoring periods that the difference between the ninetieth percentile tap water lead level, computed under 10 CSR 60-15.010(3)(C), and the highest source water lead concentration is less than the practical quantitation level for lead specified in 10 CSR 60-5.010(1)(H); and]

3. Any water system is deemed to have optimized corrosion control if it submits results of tap water monitoring conducted in accordance with 10 CSR 60-15.070 and source water moni-

toring conducted in accordance with 10 CSR 60-15.090 that demonstrates for two (2) consecutive six (6)-month monitoring periods that the difference between the ninetieth percentile tap water lead level computed under 10 CSR 60-15.010(3)(C) and the highest source water lead concentration is less than the practical quantitation level for lead specified in 10 CSR 60-5.010(5)(H).

A. Those systems whose highest source water lead level is below the method detection limit may also be deemed to have optimized corrosion control under this paragraph if the ninetieth percentile tap water lead level is less than or equal to the practical quantitation level for lead for two (2) consecutive six (6)-month monitoring periods.

B. Any water system deemed to have optimized corrosion control in accordance with this paragraph (2)(B)3. shall continue monitoring for lead and copper at the tap no less frequently than once every three (3) calendar years using the reduced number of sites specified in 10 CSR 60-15.070(3) and collecting the samples at times and locations specified in 10 CSR 60-15.070(4)(D)4.

C. Any water system deemed to have optimized corrosion control pursuant to this paragraph (2)(B)3. shall notify the department in writing pursuant to 10 CSR 60-7.020(1)(C) of any change in treatment or the addition of a new source. The department may require any such system to conduct additional monitoring or to take other action the department deems appropriate to ensure that such systems maintain minimal levels of corrosion in the distribution system.

D. A system is not deemed to have optimized corrosion control pursuant to this paragraph (2)(B)3., and shall implement corrosion control treatment pursuant to subparagraph (2)(B)3.E. of this rule unless it meets the copper action level.

E. Any system triggered into corrosion control because it is no longer deemed to have optimized corrosion control under paragraph (2)(B)3. shall implement corrosion control treatment in accordance with the deadlines in subsection (2)(A) of this rule. Any such large system shall adhere to the schedule specified in subsection (2)(A) of this rule for medium-size systems, with the time periods for completing each step being triggered by the date the system is no longer deemed to have optimized corrosion control under paragraph (2)(B)3. of this rule; and

(C) Any small- or medium-size water system that is required to complete the corrosion control steps due to its exceedance of the lead or copper action level may cease completing the treatment steps whenever the system meets both action levels during each of two (2) consecutive monitoring periods conducted pursuant to 10 CSR 60-15.070 and submits the results to the department. If any such water system after that exceeds the lead or copper action level during any monitoring period, the system (or the department, as the case may be) shall recommence completion of the applicable treatment steps, beginning with the first treatment step which was not previously completed in its entirety. The department may require a system to repeat treatment steps previously completed by the system where the department determines that this is necessary to implement properly the treatment requirements of this section. The department shall notify the system in writing of the determination and explain the basis for its decision. **The requirement for any small- or medium-size system to implement corrosion control treatment steps (including systems deemed to have optimized corrosion control) is triggered whenever any small- or medium-size system exceeds the lead or copper action level.**

AUTHORITY: section 640.100, RSMo [Supp. 1989] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the *Missouri Register* page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 15—Lead and Copper**

PROPOSED AMENDMENT

10 CSR 60-15.030 Description of Corrosion Control Treatment Requirements. The commission is amending section (8).

PURPOSE: This amendment adopts changes necessary to be consistent with changes to the federal lead and copper rule published in the January 12, 2000 *Federal Register* (65 FR 1950). These changes are required in order to maintain delegation of the federal program.

(8) [All systems shall maintain water quality parameter values at or above minimum values or within ranges designated by the department under section (7) of this rule in each sample collected under 10 CSR 60-15.080(4). If the water quality parameter value of any sample is below the minimum value or outside the range designated by the department, then the system is out of compliance. As specified in 10 CSR 60-15.080(4), the system may take a confirmation sample for any water quality parameter value no later than three (3) days after the first sample. If a confirmation sample is taken, the result must be averaged with the first sampling result and the average must be used for any compliance determinations under this section. The department will have discretion to delete results of obvious sampling errors from this calculation.] All systems optimizing corrosion control shall continue to operate and maintain optimal corrosion control treatment, including maintaining water quality parameters at or above minimum values or within ranges designated by the department under section (7) of this rule for all samples collected under 10 CSR 60-15.080(4)–(6). Compliance with this section shall be determined every six (6) months, as specified under 10 CSR 60-15.080(4). A water system is out of compliance with the requirements of this section (8) for a six (6)-month period if it has excursions for any department-specified parameter on more than nine (9) days during the period. An excursion occurs whenever the daily value for one (1) or more of the water quality parameters measured at a sampling location is below the minimum value or outside the range designated by the department. Daily values are calculated as follows. The department

shall have discretion to delete results of obvious sampling errors from this calculation.

(A) On days when more than one (1) measurement for the water quality parameter is collected at the sampling location, the daily value shall be the average of all results collected during the day regardless of whether they are collected through continuous monitoring, grab sampling, or a combination of both.

(B) On days when only one (1) measurement for the water quality parameter is collected at the sampling location, the daily value shall be the result of that measurement.

(C) On days when no measurement is collected for the water quality parameter at the sampling location, the daily value shall be the daily value calculated on the most recent day on which the water quality parameter was measured at the sample site.

AUTHORITY: section 640.100, RSMo [Supp. 1989] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

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**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 15—Lead and Copper**

PROPOSED AMENDMENT

10 CSR 60-15.050 Lead Service Line Replacement Requirements. The commission is amending sections (2) and (4), deleting section (5) and renumbering subsequent sections.

PURPOSE: This amendment adopts changes necessary to be consistent with changes to the federal rule published in the January 12, 2000 *Federal Register* (65 FR 1950). These changes are required in order to maintain delegation of the federal program.

(2) A water system [annually] shall replace annually at least seven percent (7%) of the initial number of lead service lines in its distribution system. The initial number of lead service lines is the number of lead lines in place at the time the replacement program begins. The system shall identify the initial number of lead service lines in its distribution system, including an identification of the portion(s) owned by the system, based upon a materials evaluation, including the evaluation required under 10 CSR 60-15.070(1) and relevant legal authorities (e.g., contracts, local ordinances) regarding the portion owned by the system. The first year of lead service line replacement shall begin on the date the action

level was exceeded in tap sampling referenced in section (1) of this rule.

(4) *[A water system shall replace the entire service line (up to the building inlet) unless it demonstrates to the satisfaction of the department under section (5) of this rule that it controls less than the entire service line. In those cases, the system shall replace the portion of the line which the department determines is under the system's control. The system shall notify the user served by the line that the system will replace the portion of the service line under its control and shall offer to replace the building owner's portion of the line, but is not required to bear the cost of replacing the building owner's portion of the line. For buildings where only a portion of the lead service line is replaced, the water system shall inform the resident(s) that the system will collect a first flush tap water sample after partial replacement of the service line is completed if the resident(s) so desires. In cases where the resident(s) accepts the offer, the system shall collect the sample and report the results to the resident(s) within fourteen (14) days following partial lead service line replacement.] A water system shall replace that portion of the lead service line that it owns. In cases where the system does not own the entire lead service line, the system shall notify the owner of the line, or the owner's authorized agent, that the system will replace the portion of the service line that it owns and shall offer to replace the owner's portion of the line. A system is not required to bear the cost of replacing the privately-owned portion of the line, nor is it required to replace the privately-owned portion where the owner chooses not to pay the cost of replacing the privately-owned portion of the line, or where replacing the privately-owned portion would be precluded by department, local or common law. A water system that does not replace the entire length of the service line also shall complete the following tasks:*

(A) At least forty-five (45) days prior to commencing with the partial replacement of a lead service line, the water system shall provide notice to the resident(s) of all buildings served by the line explaining that they may experience a temporary increase of lead levels in their drinking water, along with guidance on measures consumers can take to minimize their exposure to lead. The department may allow the water system to provide this notice less than forty-five (45) days prior to commencing partial lead service line replacement where such replacement is in conjunction with emergency repairs. In addition, the water system shall inform the resident(s) served by the line that the system will, at the system's expense, collect a sample from each partially-replaced lead service line that is representative of the water in the service line for analysis of lead content, as prescribed under 10 CSR 60-15.070(2)(C), within seventy-two (72) hours after the completion of the partial replacement of the service line. The system shall collect the sample and report the results of the analysis to the owner and the resident(s) served by the line within three (3) business days of receiving the results. Mailed notices postmarked within three (3) business days of receiving the results shall be considered "on time"; and

(B) The water system shall provide the information required by subsection (4)(A) of this rule to the residents of individual dwellings by mail or by other methods approved by the department. In instances where multi-family dwellings are served by the line, the water system shall have the option to post the information at a conspicuous location.

[(5) A water system is presumed to control the entire lead service line (up to the building inlet) unless the system demonstrates to the satisfaction of the department, in a letter submitted under 10 CSR 60-7.020(5)(D), that it does not have any of the following forms of control over

the entire line (as defined by Missouri statutes, municipal ordinances, public service contracts or other applicable legal authority): authority to set standards for construction, repair or maintenance of the line; authority to replace, repair or maintain the service line; or ownership of the service line. The department shall review the information supplied by the system and determine whether the system controls less than the entire service line and, in those cases, shall determine the extent of the system's control. The department's determination shall be in writing and explain the basis for its decision.]

[(6)] (5) The department shall require a system to replace lead service lines on a shorter time schedule than that required by this section, taking into account the number of lead service lines in the system, where such a shorter replacement schedule is feasible. The department shall make this determination in writing and notify the system of its finding within six (6) months after the system is triggered into lead service line replacement based on monitoring referenced in section (1) of this rule.

[(7)] (6) Any system may cease replacing lead service lines whenever first-draw tap samples collected pursuant to 10 CSR 60-15.070(4)(C) meet the lead action level during each of two (2) consecutive monitoring periods and the system submits the results to the department. If the first-draw tap samples in any such water system after that exceed the lead action level, the system shall recommence replacing lead service lines, pursuant to section (2) of this rule.

[(8)] (7) To demonstrate compliance with sections (1)-(4) of this rule, a system shall report to the department the information specified in 10 CSR 60-7.020(5).

AUTHORITY: section 640.100, RSMo [Supp. 1989] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

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**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 15—Lead and Copper**

PROPOSED AMENDMENT

10 CSR 60-15.060 Public Education and Supplemental Monitoring Requirements. The commission is amending sections (1)-(3).

PURPOSE: This amendment adopts changes to the federal rule published in the January 12, 2000 *Federal Register* (65 FR 1950). These changes are required in order to maintain delegation of the federal program.

(1) Content of Written Materials.

(A) **Community Water Systems.** A community water system shall include the following text in all of the printed materials it distributes through its lead public education program. **Systems may delete information pertaining to lead service lines, upon approval by the department, if no lead service lines exist anywhere in the water system service area. Public education language at parts (1)(A)4.B.(V) and (1)(A)4.D.(II) of this rule may be modified regarding building permit record availability and consumer access to these records, if approved by the department.** Any additional information presented by a system shall be consistent with the information in this rule and be in plain English that can be understood by lay persons. A water system that exceeds the lead action level based on tap water samples collected in accordance with 10 CSR 60-15.070 shall deliver the public education materials contained in sections (1) and (2) of this rule in accordance with the requirements in section (3) of this rule[;].

[(A)] **1. Introduction.** "The Missouri Department of Natural Resources (DNR) and (insert name of water supplier) are concerned about lead in your drinking water. Although most homes have very low levels of lead in their drinking water, some homes in the community have lead levels above the DNR action level of [fifteen] 15 parts per billion ([15] ppb) or 0.015 milligrams of lead per liter of water (mg/l). Under federal and state law we are required to have a program in place to minimize lead in your drinking water by (insert date when corrosion control will be completed for your system). This program includes corrosion control treatment, source water treatment and public education. We are also required to replace the portion of each lead service line that we control if the line contributes lead concentrations of more than [fifteen (15)] 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead rule please give us a call at (insert water system's phone number). This brochure explains the simple steps you can take to protect you and your family by reducing your exposure to lead in drinking water[;]."

[(B)] **2. Health Effects of Lead.** "Lead is a common metal found throughout the environment in lead-based paint, air, soil, household dust, food, certain types of pottery porcelain and pewter, brass fixtures and water. Lead can pose a significant risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that will not hurt adults can slow down normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination, like dirt and dust, that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths[;]."

[(C)] **3. Lead in Drinking Water.**

[1.] **A.** "Lead in drinking water, although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The DNR estimates that drinking water can make up [twenty] 20 percent [(20%)] or more of a person's total exposure to lead.

[2.] **B.** "Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes. It is also rare in groundwater, even in Missouri's lead belt. Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass and

chrome-plated brass faucets, and, in some cases, pipes made of lead that connect your house to the water main (service lines). In 1986, Congress banned the use of lead solder containing greater than [two-tenths] 0.2 percent [(0.2%)] lead and restricted the lead content of faucets, pipes and other plumbing materials to [eight] 8.0 percent [(8.0%)]. Missouri rule 10 CSR 60-10.040 [reads: 'As] requires that as of January 1, 1989, all materials used in the construction, expansion, modification or improvement of a public water system or customer water system shall be lead-free. This does not apply to leaded joints necessary for the repair of cast iron pipes. In addition, any customer water system constructed, expanded, modified or repaired after January 1, 1989, that is connected to a public water system and later is found to contain materials that are not lead-free, shall have the water meter removed or otherwise have the service line severed from the public water system when the supplier of water is so ordered by the appropriate local government authority (if one exists) or by the department. This requirement does not apply to any customer water system previously served by a water system other than a public water system.[']

[3.] **C.** "When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning or later in the afternoon after returning from work or school can contain fairly high levels of lead[; and]."

[(D)] **4. Steps You Can Take in the Home to Reduce Exposure to Lead in Drinking Water.**

[1.] **A.** "Despite our best efforts mentioned earlier to control water corrosivity and remove lead from the water supply, lead levels in some homes or buildings can be high. To find out whether you need to take action in your own home, have your drinking water tested to determine if it contains excessive concentrations of lead. Testing the water is essential because you cannot see, taste or smell lead in drinking water. Some local laboratories that can provide this service are listed at the end of this booklet. For more information on having your water tested, please call (insert phone number of water system).

[2.] **B.** "If a water test indicates that the drinking water drawn from a tap in your home contains lead above [fifteen (15)] 15 ppb, then you should take the following precautions:

[A.] **(I)** "Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six [(6)] hours. The longer water resides in your home's plumbing the more lead it may contain. Flushing the tap means running the cold water faucet until the water gets noticeably colder, usually about [fifteen to thirty (15-30)] seconds. If your house has a lead service line to the water main, you may have to flush the water for a longer time, perhaps one [(1)] minute, before drinking. Although toilet flushing or showering flushes water through a portion of your home's plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your family's health. It usually uses less than one [(1)] or two [(2)] gallons of water and costs less than (insert a cost estimate based on flushing two [(2)] times a day for [thirty (30)] days) per month. To conserve water, fill a couple of bottles for drinking water after flushing the tap and whenever possible use the first flush water to wash the dishes or water the plants. If you live in a high-rise building, letting the water flow before using it may not work to lessen your risk from lead. The plumbing systems have more, and sometimes larger pipes than smaller buildings. Ask your landlord for help in locating the source of the lead and for advice on reducing the lead level;

[B.] **(II)** "Try not to cook with or drink water from the hot water tap. Hot water can dissolve more lead more quickly than cold water. If you need hot water, draw water from the cold tap and heat it on the stove;

[C.] (III) "Remove loose lead solder and debris from the plumbing materials installed in newly constructed homes, or homes in which the plumbing has recently been replaced, by removing the faucet strainers from all taps and running the water from three to five [(3-5)] minutes. After that, periodically remove the strainers and flush out any debris that has accumulated over time;

[D.] (IV) "If your copper pipes are joined with lead solder that has been installed illegally since it was banned in 1989, notify the plumber who did the work and request that s/he replace the lead solder with lead-free solder. Lead solder looks dull gray and when scratched with a key looks shiny. In addition, notify the Public Drinking Water Program of the Missouri Department of Natural Resources at (800) 334-6946 about the violation;

[E.] (V) "Determine whether or not the service line that connects your home or apartment to the water main is made of lead. The best way to determine if your service line is made of lead is by either hiring a licensed plumber to inspect the line or by contacting the plumbing contractor who installed the line. You can identify the plumbing contractor by checking the city's record of building permits which should be maintained in the files of the *(insert name of department that issues building permits)*. A licensed plumber at the same time can check to see if your home's plumbing contains lead solder, lead pipes or pipe fittings that contain lead. The public water system that delivers water to your home should also maintain records of the materials located in the distribution system. If the service line that connects your dwelling to the water main contributes more than *[fifteen (15)] 15* ppb to drinking water, after our comprehensive treatment program is in place, we are required to replace the **portion of the line we own**. If the line is only partially controlled by the *(insert name of the city, county or water system that controls the line)*, we are required to provide *[you with information on how to replace your portion of the service line, and offer to replace that portion of the line at your expense and take a follow-up tap water sample within fourteen (14) days of the replacement]* the owner of the privately-owned portion of the line with information on how to replace the privately-owned portion of the service line, and offer to replace that portion of the line at the owner's expense. If we replace only the portion of the line that we own, we also are required to notify you in advance and provide you with information on the steps you can take to minimize exposure to any temporary increase in lead levels that may result from the partial replacement, to take a follow-up sample at our expense from the line within 72 hours after the partial replacement, and to mail or otherwise provide you with the results of that sample within three business days of receiving the results. Acceptable replacement alternatives include copper, steel, iron and plastic pipes; and

[F.] (VI) "Have an electrician check your wiring. If grounding wires from the electrical system are attached to your pipes, corrosion may be greater. Check with a licensed electrician or your local electrical code to determine if your wiring can be grounded elsewhere. Do not attempt to change the wiring yourself because improper grounding can cause electrical shock and fire hazards.

[3.] C. "The steps described *[in subparagraphs (1)(D)2.A.-F.]* above will reduce the lead concentrations in your drinking water. However, if a water test indicates that the drinking water coming from your tap contains lead concentrations in excess of *[fifteen (15)] 15* ppb after flushing, or after we have completed our actions to minimize lead levels, then you may want to take the following additional measures:

[A.] (I) "Purchase or lease a home treatment device. Home treatment devices are limited in that each unit treats only the water that flows from the faucet to which it is connected, and all of the devices require periodic maintenance and replacement. Devices, such as reverse osmosis systems or distillers, can effec-

tively remove lead from your drinking water. Some activated carbon filters may reduce lead levels at the tap; however, all lead reduction claims should be investigated. Be sure to check the actual performance of a specific home treatment device before and after installing the unit; and

[B.] (II) "Purchase bottled water for drinking and cooking.

[4.] D. "You can consult a variety of sources for additional information. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include:

[A.] (I) "*(Insert the name of city or county department of public utilities)* at *(insert phone number)* can provide you with information about your community's water supply and a list of local laboratories that have been certified by DNR for testing water quality;

[B.] (II) "*(Insert the name of city or county department that issues building permits)* at *(insert phone number)* can provide you with information about building permit records that should contain the names of plumbing contractors that plumbed your home; and

[C.] (III) "The Missouri Department of Health at (800) 392-7245 or the *(insert the name of the city or county health department)* at *(insert phone number)* can provide you with information about the health effects of lead and how you can have your child's blood tested.

[5.] E. "The following is a list of some state-approved laboratories in your area that you can call to have your water tested for lead: *(insert names and phone numbers of at least two (2) laboratories)*."

(B) **Nontransient Noncommunity Water Systems.** A nontransient noncommunity water system shall either include the text specified in subsection (1)(A) of this rule or shall include the following text in all of the printed materials it distributes through its lead public education program. Water systems may delete information pertaining to lead service lines upon approval by the department if no lead service lines exist anywhere in the water system service area. Any additional information presented by a system shall be consistent with the information below and be in plain English that can be understood by lay people.

1. **Introduction.** "The Missouri Department of Natural Resources (DNR) and *(insert name of water supplier)* are concerned about lead in your drinking water. Some drinking water samples taken from this facility have lead levels above the DNR action level of 15 parts per billion (ppb), or 0.015 milligrams of lead per liter of water (mg/l). We are required to have a program in place to minimize lead in your drinking water by *(insert date when corrosion control will be completed for your system)*. This program includes corrosion control treatment, source water treatment, and public education. We are also required to replace the portion of each lead service line that we own if the line contributes lead concentrations of more than 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead regulation please give us a call at *(insert water system's phone number)*. This brochure explains the simple steps you can take to protect yourself by reducing your exposure to lead in drinking water."

2. **Health effects of lead.** "Lead is found throughout the environment in lead-based paint, air, soil, household dust, food, certain types of pottery porcelain and pewter, and water. Lead can pose a significant risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that won't hurt adults can slow down

normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination—like dirt and dust—that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths."

3. Lead in drinking water.

A. "Lead in drinking water, although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The EPA estimates that drinking water can make up 20 percent or more of a person's total exposure to lead."

B. "Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes. Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass and chrome-plated brass faucets, and in some cases, pipes made of lead that connect houses and buildings to water mains (service lines). In 1986, Congress banned the use of lead solder containing greater than 0.2 percent lead, and restricted the lead content of faucets, pipes and other plumbing materials to 8.0 percent.

C. "When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning, or later in the afternoon if the water has not been used all day, can contain fairly high levels of lead."

4. Steps you can take to reduce exposure to lead in drinking water.

A. "Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six hours. The longer water resides in plumbing the more lead it may contain. Flushing the tap means running the cold water faucet for about 15–30 seconds. Although toilet flushing or showering flushes water through a portion of the plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your health. It usually uses less than one gallon of water.

B. "Do not cook with, or drink water from the hot water tap. Hot water can dissolve more lead more quickly than cold water. If you need hot water, draw water from the cold tap and then heat it.

C. "The steps described above will reduce the lead concentrations in your drinking water. However, if you are still concerned, you may wish to use bottled water for drinking and cooking.

D. "You can consult a variety of sources for additional information. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include: *(insert the name or title of facility official if appropriate)* at *(insert phone number)* can provide you with information about your facility's water supply."

(C) "The Missouri Department of Health at (800) 392-7245 or the *(insert the name of the city or county health department)* at *(insert phone number)* can provide you with information about the health effects of lead."

(2) Content of Broadcast Materials. A water system shall include the following information in all public service announcements sub-

mitted under its lead public education program to television and radio stations for broadcasting:

[(A)] "Why should everyone want to know the facts about lead and drinking water? Because unhealthy amounts of lead can enter drinking water through the plumbing in your home. That's why I urge you to do what I did. I had my water tested for *(insert free or \$ per sample)*. You can contact the *(insert the name of the city or water system)* for information on testing and on simple ways to reduce your exposure to lead in drinking water; and/.

[(B)] To have your water tested for lead or to get more information about this public health concern please call *(insert the phone number of the city or water system)*."

(3) Delivery of a Public Education Program.

(B) A community water system that *[fails to meet]* exceeds the lead action level on the basis of tap water samples collected in accordance with 10 CSR 60-15.070, **and that is not already repeating public education tasks pursuant to subsection (3)(C), (3)(G) or (3)(H) of this rule** within sixty (60) days shall—

1. Insert notices in each customer's water utility bill containing the information in section (1) of this rule, along with the following alert on the water bill itself in large print: "SOME HOMES IN THIS COMMUNITY HAVE ELEVATED LEAD LEVELS IN THEIR DRINKING WATER. LEAD CAN POSE A SIGNIFICANT RISK TO YOUR HEALTH. PLEASE READ THE ENCLOSED NOTICE FOR FURTHER INFORMATION." [;] A community water system having a billing cycle that does not include a billing within sixty (60) days of exceeding the action level, or that cannot insert information in the water utility bill without making major changes to its billing system, may use a separate mailing to deliver the information in subsection (1)(A) of this rule as long as the information is delivered to each customer within sixty (60) days of exceeding the action level. Such water systems shall also include the "alert" language specified in this paragraph.

2. Submit the information in subsection (1)(A) of this rule to the editorial departments of the major daily and weekly newspapers circulated throughout the community;

3. Deliver pamphlets or brochures, or both, that contain the public education materials in *[subsections (1)(B) and (D)]* paragraphs (1)(A)2. and 4. of this rule to facilities and organizations, including the following:

- A. Public schools or local school boards, or both;
- B. City or county health department;
- C. Women, Infants and Children (WIC), Head Start Program(s), or both, whenever available;
- D. Public and private hospitals or clinics, or both;
- E. Pediatricians;
- F. Family planning clinics;
- G. Local welfare agencies; and

4. Submit the public service announcement in section (2) of this rule to at least five (5) of the radio and television stations with the largest audiences that broadcast to the community served by the water system.

(D) Within sixty (60) days after it exceeds the lead action level[,], **(unless it already is repeating public education tasks pursuant to subsection (3)(E) of this rule)** a nontransient noncommunity water system shall deliver the public education materials contained in subsections (1)(A)[,], or (B) *[and (D)]* of this rule as follows:

1. Post informational posters on lead in drinking water in a public place or common area in each of the buildings served by the system; and

2. Distribute informational pamphlets, brochures, or both, on lead in drinking water to each person served by the nontransient noncommunity water system. **The system may utilize electronic**

transmission in lieu of or combined with printed materials as long as it achieves at least the same coverage.

(G) A community water system may use the text specified in subsection (1)(B) of this rule instead of the text in subsection (1)(A) of this rule and may perform the tasks listed in subsections (3)(D) and (3)(E) of this rule instead of the tasks in subsections (3)(B) and (3)(C) of this rule if:

1. The system is a facility, such as a prison or a hospital, where the population served is not capable of or is prevented from making improvements to plumbing or installing point of use treatment devices; and

2. The system provides water as part of the cost of services provided and does not separately charge for water consumption.

(H) A community water system serving three thousand three hundred (3,300) or fewer people may omit the task contained in paragraph (3)(B)4. of this rule. As long as it distributes notices containing the information contained in paragraph (1)(A)1. of this rule to every household served by the system, such systems may further limit their public education programs as follows:

1. Systems serving five hundred (500) or fewer people may forego the task contained in paragraph (3)(B)2. of this rule. Such a system may limit the distribution of the public education materials required under paragraph (3)(B)3. of this rule to facilities and organizations served by the system that are most likely to be visited regularly by pregnant women and children, unless it is notified by the department in writing that it must make a broader distribution. A community water system serving three thousand three hundred (3,300) or fewer people that delivers public education in accordance with this paragraph shall repeat the required public education tasks at least once during each calendar year in which the system exceeds the lead action level.

2. If approved by the department in writing, a system serving five hundred one to three thousand three hundred (501-3,300) people may omit the task in paragraph (3)(B)2. of this rule and/or limit the distribution of the public education materials required under paragraph (3)(B)3. of this rule to facilities and organizations served by the system that are most likely to be visited regularly by pregnant women and children.

(I) A community water system serving three thousand three hundred (3,300) or fewer people that delivers public education in accordance with subsection (3)(H) of this rule shall repeat the required public education tasks at least once during each calendar year in which the system exceeds the action level.

AUTHORITY: section 640.100, RSMo [Supp. 1989] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda

McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 60—Public Drinking Water Program Chapter 15—Lead and Copper

PROPOSED AMENDMENT

10 CSR 60-15.070 Monitoring Requirements for Lead and Copper in Tap Water. The commission is amending sections (1)–(4) and adding sections (6) and (7).

PURPOSE: This amendment adopts changes to the federal rule that were published in the January 12, 2000 Federal Register. These changes are required in order to maintain delegation of the federal program.

(1) Sample Site Location. A water system shall use the information on lead, copper and galvanized steel that it is required to collect under this section when conducting a materials evaluation. When an evaluation of the information collected pursuant to this section is insufficient to locate the requisite number of lead and copper sampling sites that meet the targeting criteria in subsection (1)(A) of this rule, the water system shall review the sources of information listed in this rule in order to identify a sufficient number of sampling sites. In addition, the system shall seek to collect that information where possible in the course of its normal operations (for example, checking service line materials when reading water meters or performing maintenance activities); all plumbing codes, permits and records in the files of the building department(s) which indicate the plumbing materials that are installed within publicly- and privately-owned structures connected to the distribution system; all inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system; and all existing water quality information, which includes the results of all prior analyses of the system or individual structures connected to the system, indicating locations that may be particularly susceptible to high lead or copper concentrations.

(E) Any community water system with insufficient tier 1 and tier 2 sampling sites shall complete its sampling pool with tier 3 sampling sites, consisting of single-family structures that contain copper pipes with lead solder installed before 1983. **A community water system with insufficient tier 1, tier 2, and tier 3 sampling sites shall complete its sampling pool with representative sites throughout the distribution system. A representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.**

(G) A nontransient noncommunity water system with insufficient tier 1 sites that meet the targeting criteria in subsection (1)(F) of this rule shall complete its sampling pool with sampling sites that contain copper pipes with lead solder installed before 1983.

[(H) Any water system whose sampling pool does not consist exclusively of tier 1 sites shall demonstrate in a letter submitted to the department under 10 CSR 60-7.020(1)(B) why a review of the information listed in subsection (1)(B) of this rule was inadequate to locate a sufficient number of tier 1 sites. Any community water system which includes tier 3 sampling sites in its sampling pool shall demonstrate in a letter why it was unable to locate a sufficient number of tier 1 and tier 2 sampling sites.] **A nontransient noncommunity water system with insufficient tier 1 sites that meet these targeting criteria shall complete its sampling pool with sampling sites that contain copper pipes with lead solder installed before 1983. If additional sites are needed to complete the sampling pool, the nontransient**

noncommunity water system shall use representative sites throughout the distribution system. A representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.

[(1)] (H) Any water system whose distribution system contains lead service lines shall draw fifty percent (50%) of the samples it collects during each monitoring period from sites that contain lead pipes or copper pipes with lead solder and fifty percent (50%) of those samples from sites served by a lead service line. A water system that cannot identify a sufficient number of sampling sites served by a lead service line shall demonstrate in a letter submitted to the department under 10 CSR 60-7.020(1)(D) why the system was unable to locate a sufficient number of these sites. This water system shall collect first-draw samples from all of the sites identified as being served by these lines.

(2) Sample Collection Methods.

(A) All tap samples for lead and copper collected in accordance with this rule, with the exception of lead service line samples collected under 10 CSR 60-15.050(3) and samples collected under subsection (2)(E) of this rule, shall be first-draw samples.

(B) Each first-draw tap sample for lead and copper shall be one (1) liter *[(1)]* in volume and have stood motionless in the plumbing system of each sampling site for at least six (6) hours. First-draw samples from residential housing shall be collected from the cold-water kitchen tap or bathroom sink tap. First-draw samples from a nonresidential building shall be one (1) liter in volume and shall be collected at an interior tap from which water is typically drawn for consumption. **Non-first-draw samples collected in lieu of first-draw samples pursuant to subsection (2)(E) of this rule shall be one (1) liter in volume and shall be collected at an interior tap from which water is typically drawn for consumption.** First-draw samples may be collected by the system or the system may allow residents to collect first-draw samples after instructing the residents of the sampling procedures specified in this section. To avoid problems of residents handling nitric acid, acidification of first-draw samples may be done *[in the laboratory]* up to fourteen (14) days after the sample is collected. *If the sample is not acidified immediately after collection, then the sample must stand in the original container for at least twenty-eight (28) hours after acidification.]* After acidification to resolubilize the metals, the sample must stand in the original container for the time specified in the approved United States Environmental Protection Agency (U.S. EPA) method before the sample can be analyzed. If a system allows residents to perform sampling, the system may not challenge, based on alleged errors in sample collection, the accuracy of sampling results.

(E) A nontransient noncommunity water system, or a community water system that meets the criteria of 10 CSR 60-15.060, that does not have enough taps that can supply first-draw samples as defined in 10 CSR 60-2.015 may, with department approval, apply substitute non-first-draw samples. Such systems shall collect as many first-draw samples from appropriate taps as possible and identify sampling times and locations that would likely result in the longest standing time for the remaining sites.

(3) **Number of Samples.** Water systems shall collect at least one (1) sample during each monitoring period specified in subsection (4)(D) of this rule from the number of sites listed in the *[first/second]* column *[following (standard monitoring)]* (“Standard Monitoring”) of Table 1. A system conducting reduced monitoring under subsection (4)(D) of this rule *[may]* shall collect at least one (1) sample from the number of sites specified in the *[second/ third]* column (“Reduced Monitoring”) of Table 1 during each monitoring period specified in subsection (4)(D) of this rule. Such reduced monitoring sites shall be representative of

the sites required for standard monitoring. The department may specify sampling locations when a system is conducting reduced monitoring.

Table 1.

System Size (# People Served)	<i>[(#)]</i> Number of [s/Sites (Standard Monitoring)	<i>[(#)]</i> Number of [s/Sites (Reduced Monitoring)
> 100,000	100	50
10,001–100,000	60	30
3,301–10,000	40	20
501–3,300	20	10
101–500	10	5
≤100	5	5

(4) Timing of Monitoring.

(D) Reduced Monitoring.

1. A small- or medium-size water system that meets the lead and copper action levels during each of two (2) consecutive six (6)-month monitoring periods may reduce the number of samples in accordance with section (3) of this rule and reduce the frequency of sampling to once per year.

2. Any water system that maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified *[by the state]* under 10 CSR 60-15.030~~[(6)]~~(7) during each of two (2) consecutive six (6)-month monitoring periods may *[request that the department allow the system to reduce the frequency of monitoring to once per year and to]* reduce the number of lead and copper samples in accordance with section (3) of this rule. The department shall review *[the] monitoring, treatment and other relevant* information submitted by the water system in accordance with 10 CSR 60-7.020, and shall *[make its decision in writing, setting forth the basis for its determination.]* **notify the system in writing when it determines the system is eligible to commence reduced monitoring.** The department shall review and, where appropriate, revise its determination when the system submits new monitoring or treatment data or when other data relevant to the number and frequency of tap sampling becomes available.

3. A small- or medium-size water system that meets the lead and copper action levels during three (3) consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three (3) years. Any water system that maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified by the department under 10 CSR 60-15.030(6) during three (3) consecutive years of monitoring may *[request that the department allow the system to]* reduce the frequency of monitoring from annually to once every three (3) years **if it receives written approval from the department.** The department shall review *[the] monitoring, treatment, and other relevant* information submitted by the water system in accordance with 10 CSR 60-7.020 and shall *[make its decision]* **notify the system** in writing, *[setting forth the basis for its determination]* **when it determines the system is eligible to reduce the frequency of monitoring to once every three (3) years.** The department shall review and, where appropriate, revise its determination when the system submits new monitoring or treatment data or when other data relevant to the number and frequency of tap sampling becomes available.

4. A water system that reduces the number and frequency of sampling shall collect these samples from **representative** sites included in the pool of targeted sampling sites identified in section (1) of this rule. Systems sampling annually or less frequently shall conduct the lead and copper tap sampling during the months of

June, July, August or September unless the department has approved a different sampling period.

A. The department, at its discretion, may approve a different period for conducting the lead and copper tap sampling for systems collecting a reduced number of samples. Such a period shall be no longer than four (4) consecutive months and must represent a time of normal operation where the highest levels of lead are most likely to occur. For a nontransient non-community water system that does not operate during the months of June through September, and for which the period of normal operation where the highest levels of lead are most likely to occur is not known, the department shall designate a period that represents a time of normal operation for the system.

B. Systems monitoring annually, that have been collecting samples during the months of June through September and that receive department approval to alter their sample collection period, must collect their next round of samples during a time period that ends no later than twenty-one (21) months after the previous round of sampling. Systems monitoring triennially that have been collecting samples during the months of June through September and receive department approval to alter the sampling collection period, must collect their next round of samples during a time period that ends no later than forty-five (45) months after the previous round of sampling. Subsequent rounds of sampling must be collected annually or triennially, as required by this section. Small systems with waivers, granted pursuant to section (6) of this rule, that have been collecting samples during the months of June through September and receive department approval to alter their sample collection period must collect their next round of samples before the end of the nine (9)-year period.

5. A small- or medium-size water system subject to reduced monitoring that exceeds the lead or copper action level shall resume sampling in accordance with subsection (4)(C) of this rule and collect the number of samples specified for standard monitoring under section (3) of this rule. This system also shall conduct water quality parameter monitoring in accordance with 10 CSR 60-15.080/(2),/(3) or (4) (as appropriate) during the monitoring period in which it exceeded the action level. *[Any water system subject to reduced monitoring frequency that fails to operate within the range of values for the water quality control parameters specified by the department under 10 CSR 60-15.030(6) shall resume tap water sampling in accordance with subsection (4)(C) of this rule and collect the number of samples specified for standard monitoring under section (3) of this rule.]* Any such system may resume annual monitoring for lead and copper at the tap at the reduced number of sites specified in section (3) of this rule after it has completed two (2) subsequent consecutive six (6)-month rounds of monitoring that meet the criteria of paragraph (4)(D)1. of this rule and/or may resume triennial monitoring for lead and copper at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (4)(D)3. or (4)(D)5. of this rule.

6. Any water system that demonstrates for two (2) consecutive six (6)-month monitoring periods that the tap water lead level computed under 10 CSR 60-15.010(3)(C) is less than or equal to 0.005 mg/l and the tap water copper level computed under 10 CSR 60-15.010(3)(C) is less than or equal to 0.65 mg/l may reduce the number of samples in accordance with section (3) of this rule and reduce the frequency of sampling to once every three (3) calendar years.

7. Any water system subject to the reduced monitoring frequency that fails to operate at or above the minimum value or within the range of values for the water quality parameters specified by the department under 10 CSR 60-15.030(6) for more than nine (9) days in any six (6)-month period specified in 10 CSR 60-15.080(4) shall conduct tap water sampling for

lead and copper at the frequency specified in subsection (4)(C) of this rule, collect the number of samples specified for standard monitoring under section (3) of this rule, and shall resume monitoring for water quality parameters within the distribution system in accordance with 10 CSR 60-15.030(4). Such a system may resume reduced monitoring for lead and copper at the tap and for water quality parameters within the distribution system under the following conditions:

A. The system may resume annual monitoring for lead and copper at the tap at the reduced number of sites specified in section (3) of this rule after it has completed two (2) subsequent six (6)-month rounds of monitoring that meet the criteria of paragraph (4)(D)2. of this rule and the system has received written approval from the department that it is appropriate to resume reduced monitoring on an annual frequency;

B. The system may resume triennial monitoring for lead and copper at the tap at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (4)(D)3. or (4)(D)5. of this rule and the system has received written approval from the department that it is appropriate to resume triennial monitoring; and

C. The system may reduce the number of water quality parameter tap water samples required in accordance with 10 CSR 60-15.080(5)(A) and the frequency with which it collects such samples in accordance with 10 CSR 60-15.080(5)(B). Such a system may not resume triennial monitoring for water quality parameters at the tap until it demonstrates, in accordance with the requirements of 10 CSR 60-15.080(5)(B)2., that it has been requalified for triennial monitoring.

8. Any water system subject to a reduced monitoring frequency under subsection (4)(D) of this rule that either adds a new source of water or changes any water treatment shall inform the department in writing in accordance with 10 CSR 60-7.020(1)(C). The department may require the system to resume sampling in accordance with subsection (4)(C) of this rule and collect the number of samples specified for standard monitoring in Table 1 of section (3) of this rule or take other appropriate steps such as increased water quality parameter monitoring or reevaluation of its corrosion control treatment given the potentially different water quality considerations.

(6) Invalidation of Lead or Copper Tap Water Samples. A sample invalidated under this section does not count toward determining lead or copper ninetieth percentile levels under 10 CSR 60-15.010(3)(C) or toward meeting the minimum monitoring requirements of Table 1 in section (3) of this rule.

(A) The department may invalidate a lead or copper tap water sample if one (1) of the following conditions is met:

1. The laboratory establishes that improper sample analysis caused erroneous results;
2. The department determines that the sample was taken from a site that did not meet the site selection criteria of this rule;
3. The sample container was damaged in transit; or
4. There is substantial reason to believe that the sample was subject to tampering.

(B) The system must report the results of all samples to the department and all supporting documentation for samples the system believes should be invalidated.

(C) To invalidate a sample under subsection (6)(A) of this rule, the decision and the rationale for the decision must be documented in writing. The department shall not invalidate a sample solely on the grounds that a follow-up sample result is higher or lower than that of the original sample.

(D) The water system must collect replacement samples for any samples invalidated under this section if, after the invalidation of one (1) or more samples, the system has too few samples to meet the minimum requirements of section (3) of this

rule. Any such replacement samples must be taken as soon as possible, but no later than twenty (20) days after the date the department invalidates the sample or by the end of the applicable monitoring period, whichever occurs later. Replacement samples taken after the end of the applicable monitoring period shall not also be used to meet the monitoring requirements of a subsequent monitoring period. The replacement samples shall be taken at the same locations as the invalidated samples or, if that is not possible, at locations other than those already used for sampling during the monitoring period.

(7) **Monitoring Waivers for Small Systems.** Any small system that meets the criteria of this section may apply to the department to reduce the frequency of monitoring for lead and copper under this section to once every nine (9) years (that is, a “full waiver”) if it meets all of the materials criteria specified in subsection (7)(A) of this rule and all of the monitoring criteria specified in subsection (7)(B) of this rule. Any small system that meets the criteria in subsection (7)(A) and (B) of this rule only for lead, or only for copper, may apply to the department for a waiver to reduce the frequency of tap water monitoring to once every nine (9) years for that contaminant only (that is, a “partial waiver”).

(A) **Materials Criteria.** The system must demonstrate that its distribution system and service lines and all drinking water supply plumbing, including plumbing conveying drinking water within all residences and buildings connected to the system, are free of lead-containing materials and/or copper-containing materials, as those terms are defined here, as follows:

1. **Lead.** To qualify for a full waiver, or a waiver of the tap water monitoring requirements for lead (that is, a “lead waiver”), the water system must provide certification and supporting documentation to the department that the system is free of all lead-containing materials, as follows:

A. It contains no plastic pipes which contain lead plasticizers, or plastic service lines which contain lead plasticizers; and

B. It is free of lead service lines, lead pipes, lead soldered pipe joints, and leaded brass or bronze alloy fittings and fixtures, unless such fittings and fixtures meet the specifications of any standard established pursuant to 42 U.S.C. 300g-6(e) (SDWA section 1417(e)).

2. **Copper.** To qualify for a full waiver, or a waiver of the tap water monitoring requirements for copper (that is, a “copper waiver”), the water system must provide certification and supporting documentation to the department that the system contains no copper pipes or copper service lines.

(B) **Monitoring Criteria for Waiver Issuance.** The system must have completed at least one (1) six (6)-month round of standard tap water monitoring for lead and copper at sites approved by the department and from the number of sites required by Table 1 of section (3) of this rule and demonstrate that the ninetieth percentile levels for any and all rounds of monitoring conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, meet the following criteria.

1. **Lead levels.** To qualify for a full waiver, or a lead waiver, the system must demonstrate that the ninetieth percentile lead level does not exceed 0.005 mg/l.

2. **Copper levels.** To qualify for a full waiver, or a copper waiver, the system must demonstrate that the ninetieth percentile copper level does not exceed 0.65 mg/l.

(C) **Department Approval of Waiver Application.** The department shall notify the system of its waiver determination, in writing, setting forth the basis of its decision and any condition of the waiver. As a condition of the waiver, the department may require the system to perform specific activities (e.g., limited monitoring, periodic outreach to customers to remind

them to avoid installation of materials that might void the waiver) to avoid the risk of lead or copper concentration of concern in tap water. The small system must continue monitoring for lead and copper at the tap as required by subsections (4)(A)–(D) of this rule, as appropriate, until it receives written notification from the department that the waiver has been approved.

(D) **Monitoring Frequency for Systems with Waivers.**

1. A system with a full waiver must conduct tap water monitoring for lead and copper in accordance with paragraph (4)(D)4. of this rule at the reduced number of sampling sites identified in Table 1 of section (3) of this rule at least once every nine (9) years and provide the materials certification specified in subsection (7)(A) of this rule for both lead and copper to the department along with the monitoring results.

2. A system with a partial waiver must conduct tap water monitoring for the waived contaminant in accordance with paragraph (4)(D)4. of this rule at the reduced number of sampling sites specified in Table 1 of section (3) of this rule at least once every nine (9) years and provide the materials certification specified in subsection (7)(A) of this rule pertaining to the waived contaminant along with the monitoring results. Such a system also must continue to monitor for the non-waived contaminant in accordance with requirements of subsection (4)(A) through (4)(D) of this rule, as appropriate.

3. If a system with a full or partial waiver adds a new source of water or changes any water treatment, the system must notify the department in writing in accordance with 10 CSR 60-7.020(1)(C). The department may require the system to add or modify waiver conditions (e.g., require recertification that the system is free of lead-containing and/or copper-containing materials, require additional round(s) of monitoring), if it deems such modifications are necessary to address treatment or source water changes at the system.

4. If a system with a full or partial waiver becomes aware that it is no longer free of lead-containing or copper-containing materials (for example, as a result of new construction or repairs), the system shall notify the department in writing no later than sixty (60) days after becoming aware of such a change.

(E) **Continued Eligibility.** If the system continues to satisfy the requirements of subsection (7)(D) of this rule, the waiver will be renewed automatically, unless any of the conditions listed in paragraph (7)(E)1.–3. of this rule occurs. A system whose waiver has been revoked may reapply for a waiver at such time as it again meets the appropriate materials and monitoring criteria of subsections (7)(A) and (7)(B) of this rule.

1. A system with a full waiver or a lead waiver no longer satisfies the materials criteria of paragraph (7)(A)1. of this rule or has a ninetieth percentile lead level greater than 0.005 mg/l.

2. A system with a full waiver or a copper waiver no longer satisfies the materials criteria of paragraph (7)(A)2. of this rule or has a ninetieth percentile copper level greater than 0.65 mg/l.

3. The department notifies the system, in writing, that the waiver has been revoked, setting forth the basis of its decision.

(F) **Requirements Following Waiver Revocation.** A system whose full or partial waiver has been revoked by the department is subject to the corrosion control treatment and lead and copper tap water monitoring requirements, as follows:

1. If the system exceeds the lead and/or copper action level, the system must implement corrosion control treatment in accordance with the deadlines specified in 10 CSR 60-15.010(5), and any other applicable requirements of this subpart.

2. If the system meets both the lead and the copper action level, the system must monitor for lead and copper at the tap no less frequently than once every three (3) years using the

reduced number of sample sites specified in Table 1 of section (3) of this rule.

(G) Pre-existing Waivers. Small system waivers approved by the department in writing prior to April 11, 2000 shall remain in effect under the following conditions:

1. If the system has demonstrated that it is both free of lead-containing and copper-containing materials, as required by subsection (7)(A) of this rule and that its ninetieth percentile lead levels and ninetieth percentile copper levels meet the criteria of subsection (7)(B) of this rule, the waiver remains in effect so long as the system continues to meet the waiver eligibility criteria of subsection (7)(E) of this rule. The first round of tap water monitoring conducted pursuant to subsection (7)(D) of this rule shall be completed no later than nine (9) years after the last time the system has monitored for lead and copper at the tap.

2. Reserved.

AUTHORITY: section 640.100, RSMo [1994] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Feb. 1, 1996, effective Oct. 30, 1996. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 60—Public Drinking Water Program Chapter 15—Lead and Copper

PROPOSED AMENDMENT

10 CSR 60-15.080 Monitoring Requirements for Water Quality Parameters. The commission is amending sections (1) and (3)–(6).

PURPOSE: This amendment adopts changes to the federal rule published in the January 12, 2000 and June 30, 1994 Federal Registers. These changes are required in order to maintain delegation of the federal program.

(1) General Requirements. All large (serving more than fifty thousand (>50,000) persons) water systems, and all small- (serving less than or equal to three thousand three hundred (≤3,300) persons) and medium-size (serving three thousand three hundred one to fifty thousand (3,301–50,000) persons) systems that exceed the lead or copper action level shall monitor water quality parameters in addition to lead and copper in accordance with this rule. The requirements of this rule are summarized in the table at the end of this rule.

(B) Number of Samples.

1. Systems shall collect two (2) tap samples for applicable water quality parameters during each monitoring period specified under sections (2)–(5) of this rule from the following number of sites:

System Size (# People Served)	Sites for Water Quality Parameters (Number)
>100,000	25
10,001–100,000	10
3,301–10,000	3
501–3,300	2
101–500	1
≤100	1

2. Except as provided in subsection (3)(C) of this rule, /S/systems shall collect two (2) samples for each applicable water quality parameter at each entry point to the distribution system during each monitoring period specified in section (2) of this rule. During each monitoring period specified in sections (3)–(5) of this rule, systems shall collect one (1) sample for each applicable water quality parameter at each entry point to the distribution system.

(3) Monitoring After Installation of Corrosion Control. Any large system which installs optimal corrosion control treatment pursuant to 10 CSR 60-15.020(1)(A)4. shall measure the water quality parameters at the locations and frequencies specified in this section during each six (6)-month monitoring period specified in 10 CSR 60-15.070(4)(B)1. Any small or medium-size system which installs optimal corrosion control treatment shall conduct monitoring during each six (6)-month monitoring period as specified in 10 CSR 60-15.070(4)(B)2. in which the system exceeds the lead or copper action level.

(B) Except as provided in subsection (3)(C) of this rule, /A/at each entry point to the distribution system, at least one (1) sample no less frequently than every two (2) weeks (bi-weekly)—

1. For pH;
2. When alkalinity is adjusted as part of optimal corrosion control, a reading of the dosage rate of the chemical used to adjust alkalinity and the alkalinity concentration; and
3. When a corrosion inhibitor is used as part of optimal corrosion control, a reading of the dosage rate of the inhibitor used and the concentration of orthophosphate or silica (whichever is applicable).

(C) Any groundwater system can limit entry point sampling described in subsection (3)(B) of this rule to those entry points that are representative of water quality and treatment conditions throughout the system. If water from untreated groundwater sources mixes with water from treated groundwater sources, the system must monitor for water quality parameters both at representative entry points receiving treatment and representative entry points receiving no treatment. Prior to the start of any monitoring under this subsection, the system shall provide to the department written information identifying the selected entry points and documentation, including information on seasonal variability, sufficient to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.

(4) Monitoring After Department Specifies Water Quality Parameter Values For Optimal Corrosion Control. After the department specifies the values for applicable water quality control parameters reflecting optimal corrosion control treatment under 10 CSR 60-15.030(6)/(7), all large (serving more than fifty thousand (>50,000) persons) systems shall measure the applicable water quality parameters in accordance with section (3) of this rule [during each monitoring period specified in 10 CSR 60-15.070(4)(C)] and determine compliance with the requirements of 10 CSR 60-15.030(8) every six (6) months with the

first six (6)-month period to begin on the date the department specifies the optimal values under 10 CSR 60-15.030(7). Any small (serving less than three thousand three hundred (<3,300) persons) or medium-size (serving three thousand three hundred one to fifty thousand (3,301–50,000) persons) system shall conduct such monitoring during each [monitoring] six (6)-month period specified in 10 CSR 60-15.070(4)(C) in which the system exceeds the lead or copper action level. *[The system may take a confirmation sample for any water quality parameter value no later than three (3) days after the first sample. If a confirmation sample is taken, the result must be averaged with the first sampling result and the average must be used for any compliance determinations under 10 CSR 60-15.030(7). The department has the discretion to delete results of obvious sampling errors from this calculation.]* For any such small- and medium-size system that is subject to a reduced monitoring frequency pursuant to 10 CSR 60-15.070(4)(D) at the time of the action level exceedance, the end of the applicable six (6)-month period under this section shall coincide with the end of the applicable monitoring period under 10 CSR 60-15.070(4)(D). Compliance with department-designated optimal water quality parameter values shall be determined as specified under 10 CSR 60-15.030(8).

(5) Reduced Monitoring.

(A) Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment during each of two (2) consecutive six (6)-month monitoring periods under section (4) of this rule shall continue monitoring at the entry point(s) to the distribution system as specified in subsection (3)(B) of this rule. That system may collect two (2) tap samples for applicable water quality parameters from the following reduced number of sites during each six (6)-month monitoring period.

<i>[Sites for Water]</i>	<i>Sites for</i>
System Size	Water Quality Parameters
(# People Served)	(Reduced Number)
> 100,000	10
10,001–100,000	7
3,301–10,000	3
501–3,300	2
101–500	1
≤100	1

(B) Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the department under 10 CSR 60-15.030(6) during three (3) consecutive years of annual monitoring under this subsection may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in subsection (5)(A) of this rule from annually to every three (3) years. A water system may reduce the frequency with which it collects tap samples for applicable water quality parameters specified in subsection (5)(A) of this rule to every three (3) years if it demonstrates during two (2) consecutive monitoring periods that its tap water lead level at the ninetieth percentile is less than or equal to the PQL for lead specified in 10 CSR 60-5.010(5)(H), that its tap water copper level at the ninetieth percentile is less than or equal to 0.65 mg/l for copper, and that it also has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the department under 10 CSR 60-15.030(7).

(D) *[Any water system subject to reduced monitoring frequency that fails to operate within the range of values for the water quality parameters specified by the department under 10 CSR 60-15.030(6) shall resume tap water*

sampling in accordance with the number and frequency requirements in section (3) of this rule.] Any water system subject to the reduced monitoring frequency that fails to operate at or above the minimum value or within the range of values for the water quality parameters specified by the department in 10 CSR 60-15.030(7) for more than nine (9) days in any six (6)-month period specified in 10 CSR 60-15.030(8) shall resume distribution system tap water sampling in accordance with the number and frequency requirements in section (4) of this rule. Such a system may resume annual monitoring for water quality parameters at the tap at the reduced number of sites specified in subsection (5)(A) of this rule after it has completed two (2) subsequent consecutive six (6)-month rounds of monitoring that meet the criteria of that paragraph and/or may resume triennial monitoring for water quality parameters at the tap at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either paragraph (5)(B)1. or (5)(B)2. of this rule.

(6) Additional Monitoring by Systems. The results of any monitoring conducted in addition to the minimum requirements of this rule shall be considered by the system and the department in making any determinations (that is, determining concentrations of water quality parameters) under this rule or 10 CSR 60-15.030.

Summary of Monitoring Requirements for Water Quality Parameters¹

Monitoring Period	Parameters ²	Location	Frequency
Initial monitoring	pH, alkalinity, orthophosphate or silica ³ , calcium, conductivity, temperature	Taps and at entry point(s) to the distribution system	Every six (6) months <i>[system]</i>
After installation of corrosion control	pH, alkalinity, orthophosphate or silica ³ , calcium ⁴	Taps	Every six (6) months
	pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual ⁵	Entry point(s) to distribution system ⁶	<i>[Biweekly]</i> No less frequently than every two (2) weeks
After department specifies parameter values for optimal corrosion control	pH, alkalinity, orthophosphate or silica ³ , calcium ⁴	Taps	Every six (6) months
	pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual ⁵	Entry point(s) to the distribution system ⁶	<i>[Biweekly]</i> No less frequently than every two (2) weeks
Reduced Monitoring	pH, alkalinity, orthophosphate or silica ³ , calcium ⁴	Taps	Every six (6) months, annually ⁷ or every three (3) years ⁸ , at a reduced number of sites
	pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual ⁵	Entry point(s) to the distribution system ⁶	<i>[Biweekly]</i> No less frequently than every two (2) weeks

¹Table is for illustrative purposes; consult the text of this *[section]* rule for precise regulatory requirements.

²Small- and medium-size systems have to monitor for water quality parameters only during monitoring periods in which the system exceeds the lead or copper action level.

³Orthophosphate must be measured only when an inhibitor containing a phosphate compound is used. Silica must be measured only when an inhibitor containing silicate compound is used.

⁴Calcium must be measured only when calcium carbonate stabilization is used as part of corrosion control.

⁵Inhibitor dosage rates and inhibitor residual concentrations (orthophosphate or silica) must be measured only when an inhibitor is used.

⁶Groundwater systems may limit monitoring to representative locations throughout the system.

⁷Water systems may reduce frequency of monitoring for water quality parameters at the tap from every six (6) months to annually if they have maintained the range of values for water quality parameters reflecting optimal corrosion control during three (3) consecutive years of monitoring.

⁸Water systems may further reduce the frequency of monitoring for water quality parameters at the tap from annually to once every three (3) years if they have maintained the range of values from water quality parameters reflecting optimal corrosion control during three (3) consecutive years of annual monitoring. Water systems may accelerate to triennial monitoring for quality parameters at the tap if they have maintained ninetieth percentile lead levels less than or equal to 0.005 mg/l, ninetieth percentile copper levels less than or equal to 0.65 mg/l, and the range of water quality parameters designated by the department under 10 CSR 60-15.030(7) as representing optimal corrosion control during two (2) consecutive six (6)-month monitoring periods.

AUTHORITY: section 640.100, RSMo [1994] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Feb. 1, 1996, effective Oct. 30, 1996. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 60—Public Drinking Water Program

Chapter 15—Lead and Copper

PROPOSED AMENDMENT

10 CSR 60-15.090 Monitoring Requirements for Lead and Copper in Source Water. The commission is amending sections (1), (4) and (5).

PURPOSE: This amendment proposes to adopt changes to the federal rule that were published in the January 12, 2000 Federal Register. These changes are required in order to maintain delegation of the federal program.

(1) Sample Location, Collection Methods and Number of Samples.

(A) A water system that fails to meet the lead or copper action level on the basis of tap samples collected in accordance with 10 CSR 60-15.070 shall collect lead and copper source water samples in accordance with the following requirements regarding sample location, number of samples and collection methods [specified in 10 CSR 60-4.030 (inorganic chemical sampling).]:

1. Groundwater systems shall take a minimum of one (1) sample at every entry point to the distribution system which is representative of each well after treatment (hereafter called a sampling point). The system shall take one (1) sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant;

2. Surface water systems shall take a minimum of one (1) sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point which is representative of each source after treatment (hereafter called a sampling point). The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant (Note: For the purposes of this requirement, surface water systems include systems with a combination of surface and ground sources);

3. If a system draws water from more than one (1) source and the sources are combined before distribution, the system must sample at an entry point to the distribution system dur-

ing periods of normal operating conditions (that is, when water is representative of all sources being used); and

4. The department may reduce the total number of samples which must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five (5) samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/l or the copper concentration is greater than or equal to 0.160 mg/l, then either:

A. A follow-up sample shall be taken and analyzed within fourteen (14) days at each sampling point included in the composite; or

B. If duplicates of or sufficient quantities from the original samples from each sampling point used in the composite are available, the system may use these instead of resampling.

(B) Where the results of sampling indicate an exceedance of maximum permissible source water levels established under 10 CSR 60-5.040(2)/(D)/(C), the department may require that one (1) additional sample be collected as soon as possible after the initial sample was taken (but not to exceed two (2) weeks) at the same sampling point. If the department-required confirmation sample is taken for lead or copper, then the results of the initial and confirmation sample shall be averaged in determining compliance with maximum permissible levels. Any sample value below the detection limit shall be considered to be zero (0). Any value above the detection limit but below the practical quantification level (PQL) shall be as the measured value or be considered one-half (1/2) PQL.

(4) Monitoring Frequency [A/after the Department Specifies Maximum Permissible Source Water Levels or Determines T/that Source Water Treatment /is/ Is Not Needed.

(A) A system shall monitor at the following specified frequency in cases where the department specifies maximum permissible source water levels under 10 CSR 60-15.040(2)/(D)/(C) or determines that the system is not required to install source water treatment under 10 CSR 60-15.040(2)/(B)/(A):

1. A water system using only groundwater shall collect samples once during the three (3)-year compliance period in effect when the applicable department determination under subsection (4)(A) of this rule is made. Those systems shall collect samples once during each subsequent compliance period; and

2. A water system using surface water (or a combination of surface and ground water) shall collect samples once during each year, the first annual monitoring period to begin on the date on which the applicable department determination is made under subsection (4)(A) of this rule.

(5) Reduced Monitoring Frequency.

(A) A water system using only groundwater [which demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead or copper concentrations, or both, specified by the department during at least three (3) consecutive compliance periods under paragraph (4)(A)1. of this rule] may reduce the monitoring frequency for lead, and copper, or both, in source water to once during each nine (9)-year compliance cycle, if the system meets any one (1) of the following criteria:

1. The system demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified in 10 CSR 60-15.040(2)(C) during at least three (3) consecutive compliance periods under subsection (4)(A) of this rule; or

2. The department has determined that source water treatment is not needed and the system demonstrates that,

during at least three (3) consecutive compliance periods in which sampling was conducted under subsection (4)(A) of this rule, the concentration of lead in source water was less than or equal to 0.005 mg/l and the concentration of copper in source water was less than or equal to 0.65 mg/l.

(B) A water system using surface water (or a combination of surface and ground waters) [which demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified by the department for at least three (3) consecutive years] may reduce the monitoring frequency in paragraph (4)(A)2. of this rule to once during each nine (9)-year compliance cycle[,] if the system meets one (1) of the following criteria:

1. The system demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified in 10 CSR 60-15.040(2)(C) for at least three (3) consecutive years; or

2. The department has determined that source water treatment is not needed and the system demonstrates that, during at least three (3) consecutive years, the concentration of lead in source water was less than or equal to 0.005 mg/l and the concentration of copper in source water was less than or equal to 0.65 mg/l.

AUTHORITY: section 640.100, RSMo [Supp. 1994] 2000. Original rule filed Aug. 4, 1992, effective May 6, 1993. Amended: Filed Aug. 14, 2001.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held October 17, 2001 at 10:00 a.m. at the DNR Conference Center, 1738 Elm Street, Jefferson City, Missouri. In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language. Written comments must be postmarked or received by November 15, 2001. Comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 30—Director's Office Chapter 7—Driver and Vehicle Equipment Regulations

PROPOSED RESCISSION

11 CSR 30-7.010 Motor Vehicle Window Tinting Permits. This rule established procedures for the issuance of motor vehicle window tinting permits as authorized by section 307.173, RSMo.

PURPOSE: This rule is being rescinded in its entirety because of legislative changes to section 307.173 that were recently enacted.

AUTHORITY: section 307.173, RSMo 1994. Original rule filed Sept. 8, 1987, effective Dec. 12, 1987. Amended: Filed Aug. 18, 1989, effective Nov. 26, 1989. Emergency amendment filed Aug. 26, 1994, effective Sept. 5, 1994, expired Jan. 2, 1995. Emergency amendment filed Jan. 3, 1995, effective Jan. 13, 1995, expired

March 29, 1995. Amended: Filed Aug. 26, 1994, effective March 30, 1995. Rescinded: Filed Aug. 15, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Public Safety, Attention: Charles R. Jackson, Director, PO Box 749, Jefferson City, MO 65102-0749. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division

PROPOSED AMENDMENT

11 CSR 50-2.020 Minimum Inspection Station Requirements. The division proposes to amend subsection (2)(A) by adding a new paragraph 11.

PURPOSE: This amendment is being made to require inspection stations to have a device capable of checking the light transmission of tinted windows as required by section 307.173.

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

1. Brake performance. Some method of testing the service brake performance will be required. The use of a decelerometer, brake testing machine, dynamometer or drive and stop test will be recognized;

2. Brake lining gauge. A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

3. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

4. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

5. Lift or jack. A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member or frame;

6. Scraper. A scraper to remove old stickers;

7. Measuring device. Yardstick or steel tape preferred;

8. Punch. An open face paper punch with a round die to validate inspection stickers and decals;

9. A tire tread depth gauge which is graduated into one-thirtieth-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; [and]

10. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses[.]; and

11. A device which is capable of measuring or comparing the light transmission of all tinted windows.

AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, PO Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.120 MVI-2 Form. The division proposes to amend subsection (4)(B).

PURPOSE: This amendment would require inspection stations to maintain their inspection records for two (2) years instead of one (1) since inspections are now done biennially.

(4) Inspection Station Record.

(B) Twenty (20) pink copies, which are filed by consecutive issue of sticker or decal number, shall be filed between the front and back cover of the used sticker or decal book which contained corresponding sticker or decal numbers. These pink copies and used covers will be kept by the inspection station for [twelve (12)] **twenty-four (24)** months from the date the inspection sticker or decal number was issued, at which time they may be destroyed.

AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, PO Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.270 Glazing (Glass). The division proposes to amend subsection (5)(C) and paragraph (5)(C)1.

PURPOSE: This amendment is being made to establish procedures for inspection stations to follow when inspecting vehicles with after-market tinted windows.

(5) Reject vehicle if:

(C) [Any manufactured vision reducing material is applied to any portion of the motor vehicle's windshield, side wings or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle, except any label, sticker, decal, comania, or informational sign required by law, ordinance or regulation may be affixed as directed. (Do not reject vehicle for tinting material applied to the uppermost portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.)] **After-market vision reducing material is applied to the vehicle's side and/or rear windows which allows less than 35% ± 3% light transmission.**

1. [Do not reject a motor vehicle for which the current vehicle owner submits a window tinting permit SHP-524B, issued by the Missouri State Highway Patrol. Record the number of the window tinting permit on the MVI-2 form (see 11 CSR 50-2.120) in the space entitled "Defective Parts" by entering the following statement: Tinting Permit #____;] **Inspector/mechanics will determine whether tinted glass is factory installed or an after-market application. All tinted windows, except those with factory installed tinted glass, will be inspected for light transmission by use of window tint comparison strips or other device capable of measuring light transmission. Once a comparison or reading is taken, the results will be recorded on the MVI-2 form in the space entitled "Defective Parts" identifying the window(s) measured and the results of the comparison or readings;**

AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities more than five hundred dollars (\$500) in the aggregate. The cost to a single vehicle owner may range from no cost (if the owner elects to remove the tint themselves) or up to three hundred dollars (\$300) (if the tint is removed professionally). It is virtually impossible to predict how many of over 6 million vehicles are operating with a tint in excess of that allowed by statute and so an estimate of costs cannot be provided.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, PO Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	11 CSR 50-2.270 Glazing (Glass)
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
ONE	VEHICLE OWNER	0-\$300

III. WORKSHEET

V. ASSUMPTIONS

The cost to a single vehicle owner may range from no cost (if the owner elects to remove the tint themselves) or up to \$300 (if the tint is removed professionally). It is virtually impossible to predict how many of the over 6 million vehicles registered in the state are operating with a tint in excess of that allowed by statute and so an estimate of costs can not be provided.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services. The division is amending subsection (3)(N), adding paragraph (10)(A)10. and subparagraphs (10)(A)10.A., B., and C., amending item (13)(B)10.A.(IV) and adding paragraph (13)(B)11. and subparagraph (13)(B)11.A.

PURPOSE: This proposed amendment eliminates the average private pay cap, outlines the exceptions to the annual cost report filing requirement including providers with short period cost reports that have less than one thousand (1,000) Medicaid days due to a change of ownership, termination or being newly Medicaid certified, expands the criteria for providers which qualify for the high volume adjustment and establishes a minimum Medicaid per-diem rate of eighty-five dollars (\$85) for nursing facility services.

(3) General Principles.

(N) *[The average Medicaid reimbursement rate paid shall not exceed the average private pay rate for the same period covered by the facility's Medicaid cost report. Any amount in excess will be subject to repayment and/or recoupment. The comparison of the average Medicaid reimbursement rate paid to the average private pay rate paid will not result in a repayment and/or recoupment until a facility has filed a cost report with a fiscal year ending after January 1, 2002. For example, a nursing facility with a December 31, 2001, year-end cost report would not be used in the private pay rate comparison while a cost report ending on January 31, 2002, would be used in this comparison. This comparison will not be performed for any nursing facility licensed under Chapter 198, RSMo and operated by a district, city or county and receives local tax revenues.] A nursing facility's Medicaid reimbursement rate shall not be limited by its average private pay rate.*

(10) Provider Reporting and Record Keeping Requirements.

(A) Annual Cost Report.

1. Each provider shall adopt the same twelve (12)-month fiscal period for completing its cost report as is used for federal income tax reporting.

2. Each provider is required to complete and submit to the division an annual cost report, including all worksheets, attachments, schedules and requests for additional information from the division. The cost report shall be submitted on forms provided by the division for that purpose. Any substitute or computer generated cost report must have prior approval by the division.

3. All cost reports shall be completed in accordance with the requirements of this regulation and the cost report instructions. Financial reporting shall adhere to GAAP, except as otherwise specifically indicated in this regulation.

4. The cost report submitted must be based on the accrual basis of accounting. Governmental institutions operating on a cash or modified cash basis of accounting may continue to report on that basis, provided appropriate treatment for capital expenditures is made under GAAP.

5. Cost reports shall be submitted by the first day of the sixth month following the close of the fiscal period.

6. If a cost report is more than ten (10) days past due, payment shall be withheld from the facility until the cost report is submitted. Upon receipt of a cost report prepared in accordance with this regulation, the payments that were withheld will be released to the provider. For cost reports which are more than ninety (90) days past due, the department may terminate the

provider's Medicaid participation agreement and if terminated retain all payments which have been withheld pursuant to this provision.

7. Copies of signed agreements and other significant documents related to the provider's operation and provision of care to Medicaid recipients must be attached (unless otherwise noted) to the cost report at the time of filing unless current and accurate copies have already been filed with the division. Material which must be submitted or available upon request includes, but is not limited to, the following:

A. Audit prepared by an independent accountant, including disclosure statements and management letter or SEC Form 10-K;

B. Contracts or agreements involving the purchase of facilities or equipment during the last seven (7) years if requested by the division, the department or its agents;

C. Contracts or agreements with owners or related parties;

D. Contracts with consultants;

E. Documentation of expenditures, by line item, made under all restricted and unrestricted grants;

F. Federal and state income tax returns for the fiscal year, if requested by the division, the department or its agents;

G. Leases and/or rental agreements related to the activities of the provider if requested by the division, the department or its agents;

H. Management contracts;

I. Medicare cost report, if applicable;

J. Review and compilation statement;

K. Statement verifying the restrictions as specified by the donor, prior to donation, for all restricted grants;

L. Working trial balance actually used to prepare the cost report with line number tracing notations or similar identifications; and

M. Schedule of capital assets with corresponding debt.

8. Cost reports must be fully, clearly and accurately completed. All required attachments must be submitted before a cost report is considered complete. If any additional information, documentation or clarification requested by the division or its authorized agent is not provided within fourteen (14) days of the date of receipt of the division's request, payments may be withheld from the facility until the information is submitted.

9. Under no circumstances will the division accept amended cost reports for rate determination or rate adjustment after the date of the division's notification of the final determination of the rate.

10. Exceptions—A cost report is not required for the following:

A. Out-of-state providers which provide less than one thousand (1,000) patient days of nursing facility services for Missouri Title XIX recipients, relative to their fiscal year;

B. Hospital based providers which provide less than one thousand (1,000) patient days of nursing facility services for Missouri Title XIX recipients, relative to their fiscal year; and

C. Providers which provide less than one thousand (1,000) patient days of nursing facility services for Missouri Title XIX recipients, relative to their fiscal year, and have less than a twelve (12)-month cost report due to a termination, change of ownership, or being newly Medicaid certified.

(13) Adjustments to the Reimbursement Rates. Subject to the limitations prescribed elsewhere in this regulation, a facility's reimbursement rate may be adjusted as described in this section.

(B) Special Per-Diem Rate Adjustments. Special per-diem rate adjustments may be added to a qualifying facility's rate without regard to the cost component ceiling if specifically provided as described below.

1. Patient care incentive. Each facility with a prospective rate on or after January 1, 1995, shall receive a per-diem adjustment equal to ten percent (10%) of the facility's allowable patient care per diem subject to a maximum of one hundred thirty percent

(130%) of the patient care median when added to the patient care per diem as determined in subsection (11)(A). This adjustment will not be subject to the cost component ceiling of one hundred twenty percent (120%) for the patient care median.

2. Ancillary incentive. Each facility with a prospective rate on or after January 1, 1995, and which meets one (1) of the following criteria shall receive a per-diem adjustment:

A. If the facility's allowable ancillary per diem as determined in subsection (11)(B) is below ninety percent (90%) of the ancillary median, the adjustment is equal to one-half (1/2) of the difference between one hundred twenty percent (120%) and ninety percent (90%) of the ancillary median. The following is an illustration of how the ancillary per-diem adjustment is calculated:

120% of median	\$6.62
90% of median	\$4.97
Difference	\$1.65
1/2 the difference	<u>2</u>
Per-diem adjustment	\$.83

B. If the facility's allowable ancillary per diem as determined in subsection (11)(B) is between ninety percent (90%) and one hundred twenty percent (120%) of the median, the adjustment is equal to one-half (1/2) of the difference between one hundred twenty percent (120%) of the median and the facility's allowable ancillary per diem. The following is an illustration of how the ancillary per-diem adjustment is calculated:

90% of median	\$4.97
120% of median	\$6.62
Ancillary per diem	\$5.21
Difference	\$1.41
1/2 the difference	<u>2</u>
Per-diem adjustment	\$.71

3. Multiple component incentive. Each facility with a prospective rate on or after January 1, 1995, and meets the following criteria shall receive a per-diem adjustment:

A. If the sum of the facility's patient care per diem and ancillary per diem, as determined in subsections (11)(A) and (B), is greater than or equal to sixty percent (60%) but less than or equal to eighty percent (80%), rounded to four (4) decimal places (.5985 or .8015 would not receive the adjustment), of the facility's total per diem, the adjustment is as follows:

Percent of Total Per-Diem Rate	Incentive
< 60%	\$0.00
> or = 60% but < 65%	\$1.15
> or = 65% but < 70%	\$1.30
> or = 70% but < 75%	\$1.45
> or = 75% but < or 80% =	\$1.60

B. A facility shall receive an additional incentive if it receives the adjustment in subparagraph (13)(B)3.A. and the following calculation is greater than seventy-five percent (75%), rounded to four (4) decimal places (.7485 would not receive the adjustment): Medicaid days divided by the licensed nursing facility patient days from the facility's desk audited and/or field audited 1992 cost report. The adjustment is as follows:

Calculated Percentage	Incentive
< 75%	\$0.00
> or = 75% but < 80%	\$0.15
> or = 80% but < 85%	\$0.30
> or = 85% but < 90%	\$0.45
> or = 90% but < 95%	\$0.60
> or = 95%	\$0.75

4. 1967 *Life Safety Code* (LSC). Currently certified nursing facilities that must comply with a recent interpretation of paragraph 10-133 of the 1967 LSC which requires corridor walls to extend to the roof deck or achieve equivalency under the Fire Safety Evaluation System (FSES) will be reimbursed the reasonable and necessary cost to meet those standards required for compliance through their reimbursement rate. The reimbursement shall not be effective until the Division of Aging has confirmed that the corrective action to comply with the 1967 LSC or FSES is operational and has reviewed the cost for compliance. Fire sprinkler systems shall be reimbursed over a depreciation life of twenty-five (25) years, and other alternative corrective action will be reimbursed over a depreciable life of fifteen (15) years. The division will use a desk audited and/or field audited cost report with the latest period ending in calendar year 1992 which is on file with the division as of December 31, 1993. This adjustment will be computed based on the documented cost submitted to the division as follows:

A. Depreciation. The cost incurred for the approved corrective action to continue in compliance divided by the depreciable useful life;

B. Interest. The interest cost incurred to finance this project shall be documented by a statement from the lending institution detailing the total interest cost of the loan period. The total interest cost will be divided by the loan period on a straight line basis; and

C. The total of subparagraph (13)(B)4.A. and B. will be divided by twelve (12) and then multiplied by the number of months covered by the 1992 cost report. This amount will be divided by the greater of actual patient days from the 1992 cost report or eighty-five percent (85%) of the licensed bed days from the 1992 cost report.

5. Any facility that had a 1967 LSC adjustment included in their December 31, 1994 reimbursement rate shall have that adjustment added to their January 1, 1995 reimbursement rate.

6. Replacement beds. A facility with a prospective rate in effect on or after January 1, 1995, may request a rate adjustment for replacement beds that resulted in the same number of beds being delicensed with the Division of Aging or the Department of Health. The facility shall provide documentation from the Division of Aging or the Department of Health that verifies the number of beds used for replacement have been delicensed from that facility. The rate adjustment will be calculated as the difference between the capital component per diem (fair rental value (FRV)) prior to the replacement beds being placed in service and the capital component per diem (FRV) including the replacement beds placed in service as calculated in subsection (11)(D) including the replacement beds placed in service. The capital component is calculated for the replacement beds using the asset value per licensed bed as determined using the R. S. Means Construction Index for nursing facility beds adjusted for the Missouri indexes for the date the replacement beds are placed in service.

7. Additional beds. A facility with a prospective rate in effect on or after January 1, 1995, may request a rate adjustment for additional beds. The facility must obtain an approved certificate of need or applicable waiver for the additional beds. The rate adjustment will be calculated as the difference between the capital component per diem (FRV) prior to the additional beds being placed in service and the capital component per diem (FRV) including the additional beds as calculated in subsection (11)(D) including the additional beds placed in service. The capital component is calculated for the additional beds using the asset value per licensed bed as determined using the R. S. Means Construction Index for nursing facility beds adjusted for the Missouri indexes for the date the additional beds are placed in service.

8. Extraordinary circumstances. A participating facility which has a prospective rate may request an adjustment to its prospective rate due to extraordinary circumstances. This request

must be submitted in writing to the division within one (1) year of the occurrence of the extraordinary circumstance. The request must clearly and specifically identify the conditions for which the rate adjustment is sought. The dollar amount of the requested rate adjustment must be supported by complete, accurate and documented records satisfactory to the division. If the division makes a written request for additional information and the facility does not comply within ninety (90) days of the request for additional information, the division shall consider the request withdrawn. Requests for rate adjustments that have been withdrawn by the facility or are considered withdrawn because of failure to supply requested information may be resubmitted once for the requested rate adjustment. In the case of a rate adjustment request that has been withdrawn and then resubmitted, the effective date shall be the first day of the month in which the resubmitted request was made providing that it was made prior to the tenth day of the month. If the resubmitted request is not filed by the tenth of the month, rate adjustments shall be effective the first day of the following month. Conditions for an extraordinary circumstance are as follows:

A. When the provider can show that it incurred higher costs due to circumstances beyond its control, the circumstances were not experienced by the nursing home industry in general and the costs have a substantial cost effect;

B. Extraordinary circumstances include:

(I) Natural disasters such as fire, earthquakes and flood that are not covered by insurance and that occur in a federally declared disaster area; and

(II) Vandalism and/or civil disorder that are not covered by insurance; and

C. The rate increase shall be calculated as follows:

(I) The one (1)-time costs, (costs that will not be incurred in future fiscal years):

(a) To determine what portion of the incurred costs will be paid, the division will use the patient occupancy days from latest available quarterly occupancy survey from the Division of Aging for the time period preceding when the extraordinary circumstances occurred; and

(b) The costs directly associated with the extraordinary circumstances will be multiplied by the above percent. This amount will be divided by the paid days for the month the rate adjustment becomes effective per paragraph (13)(B)8. This calculation will equal the amount to be added to the prospective rate for only one (1) month, which will be the month the rate adjustment becomes effective. For this one (1) month only, the ceiling will be waived.

(II) For ongoing costs (costs that will be incurred in future fiscal years): Ongoing annual costs will be divided by the greater of: annualized (calculated for a twelve (12)-month period) total patient days from the latest cost report on file or eighty-five percent (85%) of annualized total bed days. This calculation will equal the amount to be added to the respective cost center, not to exceed the cost component ceiling. The rate adjustment, subject to ceiling limits will be added to the prospective rate.

(III) For capitalized costs, a capital component per diem (FRV) will be calculated as determined in subsection (11)(D). The rate adjustment will be calculated as the difference between the capital component per diem (FRV) prior to the extraordinary circumstances and the capital component per diem (FRV) including the extraordinary circumstances.

9. Quality Assurance Incentive.

A. Each nursing facility with an interim or prospective rate on or after July 1, 2000, shall receive a per-diem adjustment of \$3.20. The Quality Assurance Incentive adjustment will be added to the facility's current rate.

B. The Quality Assurance Incentive per-diem increase shall be used to increase the expenditures to a nursing facility's direct patient care costs. Direct patient care costs include all expenses in

the patient care cost component (i.e., lines 46 through 69 of Schedule B in the Title XIX Cost Report). Any increases in wages and benefits already codified in a collective bargaining agreement in effect as of July 1, 2000, will not be counted towards the expenditure requirements of the Quality Assurance Incentive as stated above. Nursing facilities with collective bargaining agreements shall provide such agreements to the division.

10. High Volume Adjustment. Effective for dates of service July 1, 2000, a high volume adjustment shall be granted to qualifying providers. A provider must qualify each July 1, the beginning of each state fiscal year (SFY), for the high volume adjustment and the adjustment will be effective for services rendered during the SFY, July 1 through June 30. For a provider who has a high volume adjustment on June 30, but does not qualify for the high volume adjustment on July 1 of the subsequent SFY, that provider's prospective rate will be reduced by the amount of the high volume adjustment included in the facility's prospective rate in effect June 30.

A. Each facility with a prospective rate on or after July 1, 2000, and which meets all of the following criteria shall receive a per-diem adjustment:

(I) Have on file at the division a full twelve (12)-month cost report ending in the third calendar year prior to the state fiscal year in which the adjustment is being determined (i.e., for SFY 2001, the third prior year would be 1998, for SFY 2002, the third prior year would be 1999, etc.);

(II) The Medicaid patient days as determined from the cost report identified in part (13)(B)10.A.(I) exceeds eighty-five percent (85%) of the total patient days for all nursing facility licensed beds;

(III) The allowable cost per patient day as determined by the division from the applicable cost report for the patient care, ancillary and administration cost components, as set forth in paragraphs (11)(A)1., (11)(B)1. and (11)(C)1., exceeds the per-diem ceiling for each cost component in effect at the end of the cost report period; and

(IV) *[Government]* State owned or operated facilities shall not be eligible for this adjustment.

B. The adjustment will be equal to ten percent (10%) of the sum of the per-diem ceilings for the patient care, ancillary and administration cost components in effect on July 1 of each year.

C. The division may reconstruct and redefine the qualifying criteria and payment methodology for the high volume adjustment.

11. Minimum Rate Adjustment. A minimum rate adjustment shall be granted to qualifying providers, as follows:

A. Effective for dates of service beginning July 1, 2001, the minimum Medicaid reimbursement rate for nursing facility services shall be eighty-five dollars (\$85).

AUTHORITY: sections 208.153, 208.159 and 208.201, RSMo [1994] 2000. Emergency rule filed Dec. 21, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency rule filed April 21, 1995, effective May 1, 1995, expired Aug. 28, 1995. Original rule filed Dec. 15, 1994, effective July 30, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 2, 2001.

PUBLIC COST: This proposed amendment will cost state agencies and political subdivisions approximately \$2,311,925 annually.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Medical Services, PO Box 6500, Jefferson City, MO 65102-6500. To be considered, comments must be received within

*thirty (30) days after publication in the **Missouri Register**. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, MO. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST**I. RULE NUMBER**Title: 13 – Department of Social ServicesDivision: 70 – Division of Medical ServicesChapter: 10 – Nursing Home ProgramType of Rulemaking: Proposed AmendmentRule Number and Name: 13 CSR 70-10.015 Prospective Reimbursement Plan for
Nursing Facility Services**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services Division of Medical Services	Annual Estimated Cost = \$2,310,037

III. WORKSHEET

<u>Section</u>	<u>Description</u>	<u>Annual Impact</u>
1. (3)(N)	Elimination of average private pay cap	none
2. (10)(A)10.A.,B.,C.	Annual cost report filing exceptions, including short period cost reports with less than 1,000 days due to change of ownerships, terminations and newly Medicaid certified facilities	none
3. (13)(B)10.A.(IV)	High Volume Adjustment One additional facility qualifies for the high volume adjustment due to the proposed amendment Estimated SFY 02 days Add-on rate Estimated SFY 02 impact	 58,830 <u>\$7.18</u> <u>\$422,399</u>
4. (13)(B)11.A.	Minimum Rate Adjustment Thirty-seven facilities qualify for the minimum rate adjustment Estimated SFY 02 days Average rate increase Estimated SFY 02 impact	 642,696 <u>\$2.94</u> <u>\$1,889,526</u>
Total Impact of Proposed Regulation		<u>\$2,311,925</u>
State Share	38.95%	\$900,495
Federal Share	61.05%	\$1,411,430

IV. ASSUMPTIONS

Estimated Medicaid days for SFY 02 assumes a 2% growth over actual SFY 01 paid days, allocated to each facility in proportion to its SFY 01 paid days.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 4—Postcard Voter Application and Forms

PROPOSED RESCISSION

15 CSR 30-4.010 Postcard Voter Application and Forms. This rule established the requirements for printing, distribution and acceptance of postcard voter application forms.

PURPOSE: This rule is being rescinded and readopted to reflect changes to the format of the postcard voter registration application.

AUTHORITY: sections 115.155.5 and 115.159, RSMo Supp. 1999. Emergency rule filed Nov. 10, 1993, effective Nov. 20, 1993, expired March 19, 1994. Emergency rule filed Feb. 23, 1994, effective March 20, 1994, expired May 8, 1994. Original rule filed Nov. 10, 1993, effective May 9, 1994. Amended: Filed Aug. 27, 1999, effective Feb. 29, 2000. Emergency amendment filed Sept. 26, 2000, effective Oct. 6, 2000, expired April 3, 2001. Amended: Filed Sept. 26, 2000, effective April 30, 2001. Rescinded: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 4—Postcard Voter Application and Forms

PROPOSED RULE

15 CSR 30-4.010 Postcard Voter Application and Forms

PURPOSE: This rule establishes requirements for the printing, distribution and acceptance of postcard voter application forms.

(1) A postcard voter application form titled Missouri Voter Registration Application shall be printed. All Missouri election authorities shall accept a completed and signed postcard voter application form as a valid application to register in their jurisdiction. In addition to the Missouri Voter Registration Application, each election authority may print and accept its own postcard voter application form which shall be substantially in the same form as the Missouri Voter Registration Application.

(2) Postcard Application Form Format and Content—

(A) The postcard application form shall be printed on white index one hundred ten (110) pound paper cut to ten inches by eight inches (10" × 8"), perforated into two (2) sections measuring five inches by eight inches (5" × 8");

(B) The format of the bottom section of the postcard voter application form shall substantially follow the guidelines provided in subsections (2)(C)–(D) of this rule;

(C) The questions asked on the postcard application form shall be identical to those questions listed below:

1. New Registration, Address Change or Name Change;
2. Male or Female;
3. Last Name;
4. First Name;
5. Middle Name;
6. Jr., Sr., II, III, or IV;
7. Address where you live (House No., Street, Apt. No. or Rural Route and Box);
8. City;
9. County;
10. Zip Code;
11. Address where you get your mail (if different from above);
12. Date of Birth;
13. Last Four Digits of Social Security Number;
14. Daytime Phone (if available);
15. Former Name (if applicable);
16. Name and Address on Last Voter Registration;
17. Rural Voters (complete this section if you have a rural route address) I live _____ miles N E S W of _____;

18. Voter Declaration (read, sign and date below) I hereby certify that I am a citizen of the United States and a resident of the state of Missouri. I am at least seventeen and one-half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief;

19. Date; and
20. Signature;

(D) The format and questions and the statement "Warning: Conviction of making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000" shall be printed in black ink, except that the statement, "YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN SEVEN (7) BUSINESS DAYS OF ITS RECEIPT BY THE ELECTION AUTHORITY. PLEASE CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION," shall be printed in red ink not smaller than ten (10) point in size;

(E) The format of the top section of the postcard voter application form may include information as determined by the secretary of state to facilitate orderly elections, and shall substantially follow the guidelines provided in subsection (2)(F) of this rule; and

(F) The format and statements contained in the top section of the postcard voter application form shall be printed in black ink, except that the following statements shall be printed in red ink not smaller than ten (10) point in size:

1. "YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN SEVEN (7) BUSINESS DAYS OF ITS RECEIPT BY THE ELECTION AUTHORITY. PLEASE CONTACT YOUR LOCAL ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION."
2. "Voter Copy—Not Proof of Registration."

(3) Distribution of Postcard Application Forms—

(A) The postcard application form may be printed and distributed by election authorities and the secretary of state. Any private individual, group, corporation or other entity desiring to print the postcard application form as it is set out in this rule may do so upon approval of the format by the secretary of state;

(B) To allow individual or group registration, any individual or group may request and shall receive from any election authority a sufficient number of Missouri Voter Registration Applications. The distributed postcard application forms shall contain a unique

identifier. The above referenced identifier shall be printed on both sections of the card as described in subsection (2)(A) of this rule; and

(C) The secretary of state shall design a request form to be completed by any person requesting voter registration applications from the secretary of state or election authorities. Such request form shall include the requester's name, address and telephone number.

(4) Acceptance of Postcard Application Forms—

(A) The completed and signed postcard application form(s) shall be delivered to the appropriate election authority representing the area in which the applicant resides;

(B) The completed and signed postcard application form(s) may be delivered to the appropriate election authority either in person, by mail or by delivery by a third party;

(C) Upon receipt of a completed and signed postcard application form, the election authority shall process the application as required by section 115.159, RSMo; and

(D) Nothing in this rule shall be construed to authorize the rejection of any voter registration card approved by federal law.

AUTHORITY: sections 115.155.5 and 115.159, RSMo 2000. Emergency rule filed Nov. 10, 1993, effective Nov. 20, 1993, expired March 19, 1994. Emergency rule filed Feb. 23, 1994, effective March 20, 1994, expired May 8, 1994. Original rule filed Nov. 10, 1993, effective May 9, 1994. Amended: Filed Aug. 27, 1999, effective Feb. 29, 2000. Emergency amendment filed Sept. 26, 2000, effective Oct. 6, 2000, expired April 3, 2001. Amended: Filed Sept. 26, 2000, effective April 30, 2001. Rescinded and read-opted: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions thirty-nine thousand four hundred dollars (\$39,400) during the first fiscal year, subsequent non-election fiscal years will incur a cost of twelve thousand dollars (\$12,000) and subsequent election fiscal years will incur a cost of twenty-nine thousand five hundred dollars (\$29,500).

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	15 CSR 30-4.010 Postcard Voter Application and Forms
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Secretary of State	FY 2002 - \$39,400; Subsequent non-election fiscal years - \$12,000; Subsequent election fiscal years - \$29,500

III. WORKSHEET

Initial Reprint -- **200,000 Code 02 = \$7,300**
 200,000 Code 03 = \$7,300
 200,000 Code 04 = \$7,300
 500,000 Code PC = \$17,500
 TOTAL = \$39,400

Non-election Fiscal Years – 250,000 Code PC cards = \$12,000

Election Fiscal Years – 750,000 Code PC cards = \$29,500

IV. ASSUMPTIONS

Assumes that trends in voter registration applications will remain constant, however, recognizes that under the proposed rule more counties will be requesting cards from the Secretary of State due to printing requirements.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 9—Uniform Counting Standards**

PROPOSED RULE

15 CSR 30-9.010 Uniform Counting Standards—Punch Card Voting Systems

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using punch card voting systems.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using punch card voting systems.

(2) Prior to tabulating ballots, all ballot cards shall be inspected by the election authority for hanging chad and/or damaged ballots.

(3) Inspection of ballot cards shall be conducted using the following guidelines:

(A) The election authority shall appoint a bipartisan team to inspect all ballots where a question exists about the condition of a ballot or existence of hanging chad;

(B) All ballot card inspections conducted pursuant to this section shall be conducted by examining the ballot card from the back of the card;

(C) If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from that precinct; and

(D) If a chad is determined to be hanging by two (2) or less corners, it shall be removed prior to being tabulated.

(4) In jurisdictions using punch card systems, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the square immediately preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(5) Whenever a hand recount of votes is ordered of punch card ballots, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivision more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 9—Uniform Counting Standards**

PROPOSED RULE

15 CSR 30-9.020 Uniform Counting Standards—Optical Scan Voting Systems

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using optical scan voting systems.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using optical scan voting systems.

(2) Prior to tabulating ballots all machines shall be programmed to reject blank ballots where no votes are recorded on every race, or where an overvote is registered in any race.

(A) In jurisdictions using precinct-based tabulators, the voter who cast the ballot shall review the ballot if rejected, to determine if he/she wishes to make any changes to the ballot or if he/she would like to spoil their ballot and receive another ballot.

(B) In jurisdictions using centrally based tabulators, if a ballot is so rejected, it shall be reviewed by a bipartisan team using the following criteria:

1. If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from that precinct; and

2. Voter intent shall be determined using the following criteria:

A. There is a distinguishing mark in the printed oval adjacent to the name of the candidate, or issue preference;

B. There is a distinguishing mark adjacent to the name of the candidate, or issue preference; or

C. The name of the candidate or issue preference is circled.

(3) In jurisdictions using optical scan systems, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the square immediately preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(4) Whenever a hand recount of votes of optical scan ballots is ordered, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the

Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 9—Uniform Counting Standards**

PROPOSED RULE

15 CSR 30-9.030 Uniform Counting Standards—Paper Ballots

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using paper ballots.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using paper ballots.

(2) Voter intent shall be determined using the following criteria:

(A) There is a distinguishing mark in the square adjacent to the name of the candidate, or issue preference;

(B) There is a distinguishing mark adjacent to the name of the candidate, or issue preference; or

(C) The name of the candidate or issue preference is circled.

(3) In jurisdictions using paper ballots, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the square immediately preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(4) Whenever a hand recount of votes of paper ballots is ordered, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivision more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 10—Voting Machines (Electronic)**

PROPOSED RESCISSION

15 CSR 30-10.020 Certification Statements for New or Modified Electronic Voting Systems. This rule provided that

voting machine manufacturers were to file an initial affidavit stating that the voting machines complied with all applicable rules and laws and a second affidavit stating that when any changes were made in the system the voting machines ability to continue to comply with the applicable rules and laws would not be affected.

PURPOSE: This rule is being rescinded and readopted to reflect changes in the certification procedures and documents.

AUTHORITY: section 115.225, RSMo 1986. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed April 7, 1978, effective July 13, 1978. Emergency amendment filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Amended: Filed Oct. 5, 1982, effective Feb. 11, 1983. Amended: Filed Dec. 15, 1986, effective Feb. 28, 1987. Rescinded: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 10—Voting Machines (Electronic)**

PROPOSED RULE

15 CSR 30-10.020 Certification Statements for New or Modified Electronic Voting Systems

PURPOSE: This rule provides that voting machine manufacturers file an initial affidavit stating that the voting machine complies with all applicable rules and laws and a second affidavit stating that when any changes are made in the system the voting machine's ability to continue to comply with the applicable rules and laws will not be affected.

(1) As a prerequisite to approval from the secretary of state, each manufacturer or supplier of electronic voting systems or equipment shall have completed and submitted to the secretary of state a certification statement in substantially the same form as contained in section (3), and shall have received certification from an independent testing authority approved by the secretary of state.

(2) If any modification, deletion or improvement to approved voting or tabulating equipment, procedures or systems is made, the manufacturer, programmer or supplier shall notify the secretary of state and a certification amendment statement shall be submitted.

(A) No certification need be submitted if one (1) of the following conditions are met:

1. The equipment is not a device which—

A. Converts the intent of the voter into a data string, as an example, a card reader or scanner;

B. Changes, interprets, converts, modifies or records the data string being transmitted from the ballot counter; or

C. Manipulates data or the results of any data conversion into a report exclusive of the printer; or

2. The software only monitors system operation.

(B) Certificates from the software supplier or programmer shall always be submitted in the following cases when the additions could be used during the tabulating process:

1. Installation of a new release of system software, utilities software, or both;
2. Installation of new or expanded central processing units;
3. Installation of additional random access or read only memory (RAM or ROM); and
4. Installation of additional magnetic, electronic or optical data storage units.

(C) All systems installed as of January 1, 1987 are approved in the configuration that existed as of that date.

(3) Manufacturer's certification statement shall be completed substantially as the example which follows:

MANUFACTURER'S CERTIFICATION STATEMENT

I, _____, president of _____
(*electronic voting systems company*)
do hereby certify to _____, Secretary of State of
Missouri that the _____ electronic voting system
(*name of equipment*)
will permit in accordance with section 115.225, RSMo:

1. Voting in absolute secrecy;
2. Each elector to vote at any election for all persons and offices for whom and for which s/he is lawfully entitled to vote;
3. The automatic tabulating equipment to be set to reject all votes for any office or on any measure except write-in votes when the number of votes exceeds the number the voter is entitled to cast;
4. Each elector to vote for as many persons for an office as s/he is entitled to vote for;
5. Each elector to vote for or against any questions upon which s/he is entitled to vote; and to vote, by means of a single device, where applicable, for all candidates of one (1) party or to vote a split ticket as s/he desires;
6. Each elector, at presidential elections, by one (1) punch or mark, to vote for the candidate of that party for president, vice-president and their presidential electors; and
7. The _____ electronic voting system complies with all other requirements of the election laws of the state of Missouri where they are applicable.

(Briefly describe the type of electronic voting system provided by _____, the means by which it meets the requirements of provisions 1.-6. and list the areas in which the system is in use.)

I do hereby certify that the above information is true and accurate this _____ day of _____, 20 _____.

(*President*)

(*Name of Company*)

The above signator appeared before this _____ day of _____, 20 _____, and did personally sign this affidavit.

(*Notary*)

My commission expires _____

(4) Compliance with this certification statement will assist this office when approval is requested for use of electronic voting sys-

tems in this state. After receiving this information, the secretary of state will schedule a meeting with the election official making the request to use electronic equipment and representatives of the voting equipment company to discuss approval of its use in Missouri.

(5) The certification amendment statement shall be completed substantially as the example which follows:

AMENDMENT TO CERTIFICATION STATEMENT

I, _____
(*Name*)
_____, of
(*Office*)
_____, do hereby certify
(*Company*)
to _____, Secretary of State of Missouri,
that the change outlined here will not affect the accuracy or legal
operational requirements as outlined in section 115.225, RSMo of
(*Product Name and Version*)

(*Briefly describe the change.*)

(*Signature*)

The above signator appeared before me this _____ day
of _____, 20 _____ and did personally sign this affidavit;

(*Name*)

(*Name of Company*)

(*Notary*)

My commission expires _____

(6) No change in system software, utilities software, or both, may be made within thirty (30) days prior to an election in which the automated tabulating equipment will be used for the tabulating of ballots. In the event that system software, utilities software, or both, is to be changed within thirty (30) days after any election in which the automated tabulating equipment is used for the tabulating of ballots, the election authority shall have copies made of the original system software, utilities software, or both, and those copies shall be stored in the same manner as the ballots counted in that election.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed April 7, 1978, effective July 13, 1978. Emergency amendment filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Amended: Filed Oct. 5, 1982, effective Feb. 11, 1983. Amended: Filed Dec. 15, 1986, effective Feb. 28, 1987. Rescinded and readopted: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the

Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 10—Voting Machines (Electronic)**

PROPOSED RESCISSION

15 CSR 30-10.040 Electronic Ballot Tabulation—Counting Preparation. This rule provided for procedures in connection with the preparation for vote recording and tabulation including appointment of judges, equipment and program preparation and pre-election testing.

PURPOSE: This rule is being rescinded and readopted to reflect changes in the procedures to be used in connection with the preparation for vote recording and tabulation including appointment of judges, equipment and program preparation and pre-election testing.

AUTHORITY: section 115.225, RSMo 1986. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed April 7, 1978, effective July 13, 1978. [Emergency rescission filed Oct. 5, 1982, effective Nov. 2, 1982.] Emergency rescission and rule filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Rescinded and readopted: Filed Oct. 5, 1982, effective Feb. 11, 1983. Emergency rescission and [readoption] rule filed May 12, 1986, effective Aug. 1, 1986, expired Nov. 7, 1986. Emergency rescission and [readoption] rule filed April 17, 1987, effective April 27, 1987, expired Aug. 14, 1987. Rescinded and readopted: Filed April 17, 1987, effective June 25, 1987. Rescinded: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 10—Voting Machines (Electronic)**

PROPOSED RULE

15 CSR 30-10.040 Electronic Ballot Tabulation—Counting Preparation

PURPOSE: This rule provides for procedures in connection with the preparation for vote recording and tabulation including appointment of judges, equipment and program preparation and pre-election testing.

(1) The election authority shall be responsible for insuring that the electronic tabulating system s/he chooses to use accurately records, and/or counts, all proper votes cast and complies with all applicable state statutes and rules.

(2) The election authority shall be responsible that all steps have been taken to insure that the electronic tabulating equipment operates properly at the time of the pre-election public logic and accuracy test and during the tabulation of ballots on election night.

(3) The election authority shall be responsible for making necessary arrangements for a backup ballot tabulating system.

(4) The election authority shall be responsible for providing a duplicate of the counting program for the computer system on which the ballot tabulation is to be done, regardless of the backup counting system used.

(5) Prior to each election day, the election authority shall be responsible for appointing one (1) or more bipartisan teams composed of equal numbers of members from the two (2) major parties to carry out the functions of—certifying the accuracy of the electronic tabulating equipment, receiving election materials from the polls, duplicating damaged or defective ballots, processing ballots through the electronic tabulating system and preparing election materials for final storage. Each person so appointed shall have the qualifications of and take the oath of office prescribed for election judges in section 115.091, RSMo. These persons will be selected from lists compiled as outlined in section (6) except where an election authority is a board of election commissioners, the election authority may designate persons of its own choosing.

(6) Beginning in 1987, not less than sixty (60) days prior to the first election date of each calendar year, each election authority, except as noted in section (5), shall notify by mail, the chairpersons of the two (2) major political parties within their jurisdiction of the number of persons from their parties needed for the bipartisan teams used in processing and counting ballots. Each chairperson shall have thirty (30) days to provide a list to the election authority, in writing, of twice as many persons meeting the qualifications of section 115.091, RSMo, as the election authority has indicated are necessary. If the chairpersons cannot respond in that thirty (30)-day period with the list of names or enough persons to fill all positions, the election authority shall select persons from that party to fulfill those functions. Nothing contained in this rule shall prohibit an election authority from requesting a new list of names for the bipartisan teams for each election provided that the lists are requested sixty (60) days prior to the election and that the chairpersons have thirty (30) days for response. For elections in 1986, the election authority shall select members of the bipartisan teams in a manner consistent with the way in which s/he has previously selected these personnel. If the election authority has not previously utilized automated tabulating equipment, it shall follow the same schedule as will be used in succeeding years except that the chairpersons shall be notified not later than sixty (60) days prior to the August primary.

(7) Prior to election day the election authority shall supervise a public logic and accuracy test of the electronic tabulating equipment conducted by the accuracy certification team.

(A) The logic and accuracy test shall be open to any member of the public; and the election authority, by some appropriate method, shall notify the public of the time and date of the test.

(B) Persons, other than candidates and other individuals required to be notified under section 115.233, RSMo, wishing to participate in the testing process shall file a written request with the election authority at least twenty-four (24) hours prior to the publicized beginning of the logic and accuracy test.

(C) The election authority shall prepare an appropriate logic and accuracy test deck which will include the following conditions:

1. Each ballot position must be tested;
2. No two (2) candidates for the same office may receive the same number of votes, but each candidate must receive one (1) vote;
3. No ballot question may receive the same number of votes for and against;
4. In situations where a voter can legally vote for more than one (1) person for an office, at least one (1) card shall be voted for the maximum number of allowable candidates;
5. One (1) card shall be marked to have one (1) more vote for each candidate or question than is allowable;
6. One (1) card shall have no votes recorded on it;
7. In general partisan elections, each party shall receive at least one (1) straight party vote. Additionally each party shall receive at least one (1) straight party vote where a candidate of another party receives a vote on the ballot;
8. Cards should be punched or marked to test all name rotations, if used; and
9. One (1) card (if possible) shall contain a vote for a candidate for whom persons using that ballot format are not entitled to vote.

(D) The accuracy certification team may run the test deck as provided by the election authority again, making as many additions, subtractions or changes in the ballot cards as they desire.

(E) The public logic and accuracy team shall compare the results of the electronic test to those from a manual count of the test ballots. If the results are incorrect, then changes and/or corrections will be made until an errorless count is made. An electronic ballot tabulation machine shall not be used on election day until an errorless count is made on that machine.

(F) After the team is satisfied that the equipment is tabulating the ballots properly, each candidate on the ballot or any representative of a group which has notified the election authority pursuant to subsection (7)(B) may inspect and manually recount the test deck.

(G) If the results match with the manual count, the team shall certify that the system is accurate and properly counting ballots. All logic and accuracy test materials including the deck shall be sealed in a tamperproof container and sealed with a numbered seal. All team members shall verify, by signature or initials, the seal number on a certificate placed on the outside of the container.

(H) The election authority shall have custody of the logic and accuracy test materials including the program until called for by the accuracy certification team.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed April 7, 1978, effective July 13, 1978. [Emergency rescission filed Oct. 5, 1982, effective Nov. 2, 1982.] Emergency rescission and rule filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Rescinded and readopted: Filed Oct. 5, 1982, effective Feb. 11, 1983. Emergency rescission and [readoption] rule filed May 12, 1986, effective Aug. 1, 1986, expired Nov. 7, 1986. Emergency rescission and [readoption] rule filed April 17, 1987, effective April 27, 1987, expired Aug. 14, 1987. Rescinded and readopted: Filed April 17, 1987, effective June 25, 1987. Rescinded and readopted: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 10—Voting Machines (Electronic)

PROPOSED RESCISSION

15 CSR 30-10.060 Electronic Ballot Tabulation—Election Procedures. This rule provided for procedures to be used by election authorities using electronic tabulating equipment to count voted ballots.

PURPOSE: This rule is being rescinded and readopted to reflect changes in the procedures to be used by election authorities using electronic tabulating equipment to count voted ballots.

AUTHORITY: section 115.225, RSMo 1986. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Amended: Filed Nov. 18, 1976, effective March 11, 1977. Emergency amendment filed Oct. 8, 1976, effective Oct. 18, 1976, expired Feb. 15, 1977. Amended: Filed April 7, 1978, effective July 13, 1978. [Emergency rescission filed Oct. 5, 1982, effective Nov. 2, 1982.] Emergency rescission and rule filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Rescinded and readopted: Filed Oct. 5, 1982, effective Feb. 11, 1983. Emergency rescission and [readoption] rule filed May 12, 1986, effective Aug. 1, 1986, expired Nov. 7, 1986. Emergency rescission and [readoption] rule filed April 17, 1987, effective April 27, 1987, expired Aug. 14, 1987. Rescinded and readopted: Filed April 17, 1987, effective June 25, 1987. Rescinded: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 10—Voting Machines (Electronic)

PROPOSED RULE

15 CSR 30-10.060 Electronic Ballot Tabulation—Election Procedures

PURPOSE: This rule provides for procedures to be used by election authorities using electronic tabulating equipment to count voted ballots.

(1) Voted and unvoted ballots shall be processed using the following rules:

(A) Voted ballots shall always be handled or moved either by a bipartisan team or in the direct view of a bipartisan team;

(B) In those cases where the election authority determines it is more efficient to move voted ballots by use of a single person, those items shall be placed into a tamperproof container and sealed with a numbered seal. Members of a bipartisan team shall witness the sealing and verify the number of the seal by their signatures on a certificate placed on the exterior of the container. The container shall only be opened in the presence of a bipartisan team which shall verify the accuracy of the seal number before the seal is broken;

(C) The election authority shall be responsible for insuring that sufficient certificates are made on each transfer of ballot responsibility to accurately recreate each movement of the ballot from one (1) team to the next. Each transfer shall include a statement that no election material was added, subtracted or altered except as provided by statute or rule and that no irregularities were noticed unless otherwise noted; and

(D) The election authority or his/her representative shall be on hand at all times in the counting center when ballots are unsealed.

(2) Ballot counting shall be conducted as follows:

(A) The election authority shall have the authority to limit access by persons, other than those previously appointed to bipartisan teams, in those areas where ballots are unsealed or are being counted;

(B) Ballot duplication for damaged ballots shall be done by bipartisan teams using whatever method is selected by the election authority provided that—

1. The system provides an exact duplicate of the voter's intent, pursuant to 15 CSR 30-9.010, 15 CSR 30-9.020 and 15 CSR 30-9.030;

2. Both members of the team participate in the process;

3. Both members can review the other's work;

4. There is an undisputed method to match the duplicate card with its original after it has been placed with the remainder of the ballot cards from that precinct; and

5. Allowances are made for watchers appointed pursuant to section 115.107, RSMo to perform their statutory duties;

(C) Any changes to the operating system, application programs, files or counters used in the ballot counting shall be documented by the election authority;

(D) The last transaction with the electronic tabulating system prior to counting ballots shall be the public logic and accuracy test; and

(E) The election authority may conduct other logic and accuracy tests as s/he deems necessary including the hand count of ballots.

(3) Prior to certification of the election results, the accuracy and certification team shall recount the test deck used prior to the start of ballot tabulation on each electronic tabulating machine as follows:

(A) In the event that the counts are not identical, the team shall not certify that the electronic tabulating system was operating properly;

(B) Necessary corrections shall be made to the tabulating program until the test deck is counted properly, and all ballots shall be recounted; and

(C) If the counts are identical, the team shall certify that the system is operating properly.

(4) After the accuracy certification team has approved the count and before the ballots are sealed for final storage, the team processing the ballots shall select one (1) precinct by mutual consent to be recounted. The results of that recount shall be reported on

certificates supplied by the secretary of state. One (1) copy shall be filed with the secretary of state within four (4) weeks of the election date and one (1) copy shall be filed with the public records of the election.

(5) After the recount of the selected precinct, bipartisan teams shall place all ballots and other support materials into appropriate tamperproof containers which are sealed in such a way as to prevent any undisclosed entry. If numbered seals are used, those numbers shall appear on the exterior of the container and shall be witnessed by the signatures of the team members.

AUTHORITY: section 115.225, RSMo [1986] 2000. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Amended: Filed Nov. 18, 1976, effective March 11, 1977. Emergency amendment filed Oct. 8, 1976, effective Oct. 18, 1976, expired Feb. 15, 1977. Amended: Filed April 7, 1978, effective July 13, 1978. [Emergency rescission filed Oct. 5, 1982, effective Nov. 2, 1982.] Emergency rescission and rule filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Rescinded and readopted: Filed Oct. 5, 1982, effective Feb. 11, 1983. Emergency rescission and [readoption] rule filed May 12, 1986, effective Aug. 1, 1986, expired Nov. 7, 1986. Emergency rescission and [readoption] rule filed April 17, 1987, effective April 27, 1987, expired Aug. 14, 1987. Rescinded and readopted: Filed April 17, 1987, effective June 25, 1987. Rescinded and readopted: Filed Aug. 8, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Secretary of State, Division of Elections, Betsy Byers, Co-Director, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 10—The Public School Retirement System of Missouri

Chapter 4—Membership and Creditable Service

PROPOSED AMENDMENT

16 CSR 10-4.012 Payment for Reinstatement and Credit Purchases. The board is amending section (2).

PURPOSE: This amendment sets forth the manner in which funds shall be paid to, credited and refunded by the retirement system for the reinstatement and purchase of membership service credit in the retirement system.

(2) Consistent with the *Internal Revenue Code*, the system will accept rollovers in payment for reinstatement and credit purchases provided the money is an "eligible rollover distribution" from one of the following:

(E) A 403(b) qualified plan;

(F) A state and local government 457(b) qualified plan;

[(E)] (G) Such other plans or accounts as may be authorized as a source of eligible rollover distributions to the system under the *Internal Revenue Code*, provided that the system shall not be obligated to accept any distribution from any such authorized plan or

account if the distribution would jeopardize the tax-qualified status of the system; or

[(F)] (H) The member, if the amount was distributed to the member from a qualified plan, is rolled over by the member to the system within sixty (60) days of that distribution, and the payment is accompanied by proof of rollover eligibility.

AUTHORITY: section 169.020, RSMo [Supp. 1997] 2000. Original rule filed June 23, 1998, effective Jan. 30, 1999. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Non-Teacher School Employee Retirement Systems of Missouri, M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 5—Retirement, Options and Benefits

PROPOSED AMENDMENT

16 CSR 10-5.055 Cost-of-Living Adjustments. The board is amending section (3).

PURPOSE: This amendment provides for the implementation of cost-of-living adjustments to retirees and eligible beneficiaries as set forth in subsection 169.070.12, RSMo.

(3) When the board of trustees determines that [an] a **cost-of-living** increase shall be granted, the increase shall be added to the allowance[s] of [all] any person[s] receiving a service or disability retirement allowance[s], or beneficiary allowance[s] **under the provision of]** pursuant to section 169.070.3, RSMo. The initial increase in a retiree's allowance shall not be granted before January 1, 1977, or until the retiree has been retired four (4) January firsts[.]; or in the case of any member retiring on or after July 1, 2000, [and not for any member retiring before July 1, 2000,] the initial increase in the retiree's allowance shall not be granted until the retiree has been retired three (3) January firsts[.]; **or in the case of any member retiring on or after July 1, 2001, the initial increase in the retiree's allowance shall not be granted until the retiree has been retired two (2) January firsts.** A designated beneficiary of a deceased retiree who is receiving an allowance as provided in section 169.070.3, RSMo, will be eligible for an increase at the time the deceased retiree would have been eligible for an increase had he or she lived.

AUTHORITY: section 169.020, RSMo [Supp. 1999] 2000. Original rule filed Jan. 5, 1977, effective May 1, 1977. Amended: Filed June 10, 1980, effective Sept. 15, 1980. Amended: Filed Aug. 9, 1999, effective Feb. 29, 2000. Amended: Filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Non-Teacher School Employee Retirement Systems of Missouri, M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 5—Retirement, Options and Benefits

PROPOSED RULE

16 CSR 10-5.070 Qualified Governmental Excess Benefit Arrangement

PURPOSE: This rule implements section 169.070.16, RSMo and section 415(m) of Title 26 of the *United States Code* and allows for the payment of benefits in excess of the limits imposed by section 415 of Title 26 of the *United States Code* and section 169.070.16, RSMo to which retirees and beneficiaries are otherwise entitled pursuant to Chapter 169, RSMo.

(1) Definitions.

(A) "Maximum benefit" shall mean the benefit a retiree or beneficiary is entitled to receive from the retirement system in any month after giving effect to section 169.070.16, RSMo designed to conform to the annual benefit limit set forth in Section 415 of Title 26 of the *United States Code* as amended.

(B) "Retirement system" shall mean The Public School Retirement System of Missouri established pursuant to Chapter 169, RSMo.

(C) "Section 415(m) benefit participant" shall mean any retiree or beneficiary whose benefits otherwise payable pursuant to Chapter 169, RSMo without giving effect to the limitations of section 169.070.16, RSMo designed to conform to section 415 of Title 26 of the *United States Code*, would exceed the maximum benefit permitted under section 415 of Title 26 of the *United States Code*. Eligibility as a section 415(m) benefit plan participant shall be determined by the retirement system at retirement and annually thereafter.

(D) "Section 415(m) benefit plan" shall mean the separate, unfunded qualified governmental excess benefit arrangement within the meaning of Section 415(m) of Title 26 of the *United States Code* and established pursuant to section 169.070.16, RSMo and this rule that is a separate portion of the retirement system.

(E) "Unrestricted benefit" shall mean the monthly benefit a retiree or beneficiary would have been entitled to receive from the retirement system under Chapter 169, RSMo without giving effect to the restrictions of section 169.070.16, RSMo designed to conform to section 415 of Title 26 of the *United States Code*.

(2) A section 415(m) benefit participant receiving benefits from the retirement system pursuant to Chapter 169, RSMo is entitled to a monthly benefit under the section 415(m) benefit plan in an amount equal to the section 415(m) benefit participant's unrestricted benefit less the maximum benefit. In no event shall a retiree or beneficiary receive a total monthly benefit from the retirement system and the section 415(m) benefit plan in excess of the monthly benefit he or she would have been entitled to receive from the retirement system under Chapter 169, RSMo without giving effect to the restrictions of section 169.070.16, RSMo

designed to conform to section 415 of Title 26 of the *United States Code*.

(3) Any benefit to which a retiree or beneficiary is entitled pursuant to this rule shall be paid at the same time and in the same manner as the benefit would have been paid from the retirement system if the payment of the benefit from the retirement system had not been precluded by section 169.070.16, RSMo designed to conform to section 415 of Title 26 of the *United States Code*.

(4) Contributions may not be accumulated under the section 415(m) benefit plan to pay future monthly benefits to retirees or beneficiaries. Instead, a portion of each payment of employer contributions that is made to the retirement system under section 169.030, RSMo shall be paid to the section 415(m) benefit plan in an amount necessary to satisfy the monthly obligation to pay section 415(m) benefit participants the amount calculated pursuant to (2) above, as those amounts become due, and may include amounts needed to pay reasonable expenses necessary to administer the section 415(m) benefit plan. Employer contributions made to provide section 415(m) benefits pursuant to this rule shall not be commingled with any other assets of the retirement system.

(5) The section 415(m) benefit plan is a separate portion of the retirement system plan qualified pursuant to section 401(a) of Title 26 of the *United States Code* and is maintained solely for the purpose of providing benefits to retirees and beneficiaries that would otherwise exceed the limits imposed by section 415 of Title 26 of the *United States Code*.

(6) A member, retiree, or beneficiary of the retirement system may not directly or indirectly elect to defer compensation or to otherwise purchase benefits pursuant to section 169.070.16, RSMo or this rule.

(7) The section 415(m) benefit plan shall be administered in the same manner as the retirement system pursuant to section 169.020, RSMo.

AUTHORITY: section 169.020, RSMo 2000. Original rule filed Aug. 15, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Public School and Non-Teacher School Employee Retirement Systems of Missouri, M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Non-Teacher School Employee Retirement System of Missouri

PROPOSED AMENDMENT

16 CSR 10-6.045 Reinstatement and Credit Purchases. The board is amending subsection (1)(A).

PURPOSE: This amendment sets forth the manner in which funds shall be paid to, credited and refunded by the retirement system for the reinstatement and purchase of membership service credit in the retirement system.

(1) Payments to reinstate or to purchase credit must be by check, bank draft or any other negotiable instrument payable to the Non-/t/Teacher School Employee Retirement System of Missouri at par.

(A) Consistent with the *Internal Revenue Code*, the system will accept rollovers in payment for reinstatement and credit purchases provided the money is an "eligible rollover distribution" from one of the following:

1. A 401(a) tax qualified plan (including a Keogh plan which meets additional requirements pertaining to owner-employees);
2. A 401(k) profit sharing plan;
3. A 403(a) qualified annuity plan;
4. A 408(a) individual retirement account (IRA) or a 408(b) individual retirement annuity, but only if the [individual retirement account] IRA is a conduit or "holding account" IRA or annuity containing amounts from a 401(a) qualified plan or a 403(a) annuity plan, and does not contain any other types of funds; therefore, an IRA which is established and/or funded with other monies is not an eligible rollover distribution; [or]

5. A 403(b) qualified plan;

6. A state and local government 457(b) qualified plan;

7. Such other plans or accounts as may be authorized as a source of eligible rollover distributions to the system under the *Internal Revenue Code*, provided that the system shall not be obligated to accept any distribution from any such authorized plan or account if the distribution would jeopardize the tax qualified status of the system; or

[5.] 8. The member, if the amount was distributed to the member from a qualified plan, is rolled over by the member to the system within sixty (60) days of that distribution, and is accompanied by proof of rollover eligibility.

AUTHORITY: section 169.610, RSMo 2000. Original rule filed June 15, 1994, effective Nov. 30, 1994. Amended: Filed June 14, 1995, effective Dec. 30, 1995. Amended: Filed Aug. 15, 1996, effective Feb. 28, 1997. Amended: Filed Oct. 24, 1996, effective April 30, 1997. Amended: Filed Oct. 25, 1999, effective April 30, 2000. Amended: Filed Oct. 30, 2000, effective May 30, 2001. Amended: Filed Aug. 15, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Non-Teacher School Employee Retirement Systems of Missouri, M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.050 Certifying Service and Compensation. The board is amending section (1).

PURPOSE: This rule clarifies the process for certifying employment and salary figures upon separation from service for purposes of calculating retirement benefits in the future.

(1) Upon separation from service, a participant shall request that the county clerk complete a certification form on a form to be provided by the board or its designee which verifies the length of employment and the two (2) highest years of compensation received by the participant. The participant must provide documentation to support the compensation figures which must be attached to the certification including W-2 forms, 1099 forms, canceled checks and other supporting documentation reflecting compensation received. In determining average final compensation, County Employees' Retirement Fund (CERF) will use the cash receipts and disbursements method as defined by the *Internal Revenue Code*. *[Lump sum payments]* **Any lump sum payment attributable to services for a prior year (including, but not limited to, a payment of benefits, back pay, *for compensation for* unused vacation days or sick leave attributable to services performed in a prior year)** will not be included in calculating average final compensation *[if the payments are attributable to a prior year or prior years than the year being claimed as a high year]*.

AUTHORITY: section 50.1032, RSMo [Supp. 1999] 2000. Original rule filed Oct. 11, 1995, effective May 30, 1996. Amended: Filed Dec. 9, 1997, effective June 30, 1998. Amended: Filed July 16, 1998, effective Jan. 30, 1999. Amended: Filed Sept. 17, 1998, effective March 30, 1999. Amended: Filed April 16, 1999, effective Sept. 30, 1999. Rescinded and readopted: Filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Aug. 13, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, PO Box 2271, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 2—DEPARTMENT OF AGRICULTURE Division 70—Plant Industries Chapter 13—Boll Weevil Eradication

ORDER OF RULEMAKING

By the authority vested in the Plant Industries Division under sections 263.517, 263.527 and 263.534, RSMo 2000, the director amends a rule as follows:

2 CSR 70-13.030 Program Participation, Fee Payment and Penalties **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 905-908). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written comments were received.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 40—National Bureau of Standards Handbook 44

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Agriculture under section 414.142, RSMo 2000, the director rescinds a rule as follows:

2 CSR 90-40.010 NBS Handbook 44, Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1129). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from Robert Brundage of Premium Standard Farms regarding the reason for the rescission of this rule and administration of Chapter 413. RESPONSE: The department responded this rule was being rescinded due to a statutory revision in 1994 that adopted Handbook 44 and precluded the need for this rule.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 50—Moisture-Measuring Devices

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Agriculture under section 413.065, RSMo 2000, the director rescinds a rule as follows:

2 CSR 90-50.010 Moisture-Measuring Devices for Plant Products **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1129). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from Robert Brundage of Premium Standard Farms regarding the reason for the rescission of this rule.

RESPONSE: The department responded this rule is being rescinded due to a statutory revision in 1994 that repealed the sections pertaining to moisture-measuring devices from Chapter 265, RSMo and added those sections to Chapter 413, RSMo. This rule was promulgated under Chapter 265.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.110 General Prohibition; Applications **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2001 (26 MoReg 1308). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-12.109 Closed Hours is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 2, 2001 (26 MoReg 1308-1309). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 30—Division of Administrative and Financial
Services
Chapter 261—Pupil Transportation

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section 304.060, RSMo 2000, the board amends a rule as follows:

5 CSR 30-261.025 Minimum Requirements for School Bus
Chassis and Body is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 912-914). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received no comments on the text of the proposed amendment.

Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 60—Vocational and Adult Education
Chapter 100—Adult Education

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092 and 161.093, RSMo 2000, the board amends a rule as follows:

5 CSR 60-100.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 915-917). Changes have been made in the text of the proposed amendment and are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received three comments on the proposed amendment.

COMMENT: One comment supported the proposed amendment with no changes.

COMMENTS: Two comments supported the proposed amendment, but questioned if the local testing center fee should not exceed twenty dollars (\$20) instead of nine dollars (\$9) each time the test is taken.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Education reviewed the comments and changed the fee from nine dollars (\$9) to twenty dollars (\$20). Subsection (2)(D) is reprinted here for clarity.

5 CSR 60-100.020 Administration of High School Equivalence Program

(2) Arrangements for Taking the GED Tests.

(D) A fee must accompany each application. The remittance by cash, postal money order or cashier's check must be made payable to the Treasurer, State of Missouri. The fee is nonrefundable and nontransferable. Personal checks are not accepted. The fee for processing applications and issuance of a certificate when achieved will be twenty dollars (\$20). An additional application and fee of twenty dollars (\$20) will be required each time an individual retakes any part of the test. Processing of an application and issuance of a certificate to an individual who took the test through the United States Armed Forces Institute/Defense Activity for Nontraditional Education Support will be twenty dollars (\$20). In addition to the fee paid to the Treasurer, State of Missouri, an examinee will pay the local testing center a fee set by the local testing center not to exceed twenty dollars (\$20) each time the tests are taken. A fee of two dollars (\$2), payable to the Treasurer, State of Missouri, also will be charged for each transcript issued other than the original. Replacement certificates may be purchased for a fee of fifteen dollars (\$15), payable to Treasurer, State of Missouri.

Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.200 Application for Certificate of License to
Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 918). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received several comments.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The State Board of Education received comments questioning the teacher tenure act, mentoring in career ladder, seeking reciprocity from other states, seeking the raising of standards for elementary teachers, and questioning testing in schools.

RESPONSE: The State Board of Education has carefully reviewed the comments and decided there is no cause for a change in its proposed amendment. All individuals have had the opportunity to comment on proposed amendments through the rulemaking process. In addition, requirements for the teacher tenure act, career ladder, testing and reciprocity are found in other state statutes and rules.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.220 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 918-919). Changes have been made in the text of the proposed amendment, so they are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education has received some comments on this proposed amendment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The State Board of Education received a comment questioning the teaching experience requirements for superintendents and principals.

COMMENT: The Missouri School Boards Association (MSBA) submitted comments supporting the change to allow individuals with experience in grades seven (7)-adult levels to qualify as a vocational director; questioning the fifteen (15) hours of graduate coursework, the addition of an assessment to renew their certificate, and seeking clarification of the wording for the assessment.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Education has carefully reviewed the comments and has clarified the assessment wording in subsection (20)(B). The board

would note that the fifteen (15) hours of graduate credit have been identified as those hours needed in order to meet the competencies identified for the certificate. Furthermore, the building-level administrator's assessment is not an additional assessment. It is the only building-level assessment prior to receiving the initial certificate. In addition, all individuals have had the opportunity to comment on proposed amendments through the rulemaking process. Subsection (20)(B) is reprinted here for clarity.

5 CSR 80-800.220 Application for Certificate of License to Teach for Administrators

(20) An administrator certificate of license to teach may be issued for a vocational director for a period of five (5) years and may be renewed for an additional five (5) years. The requirements for renewal are as follows:

(B) Achieve a score equal to or in excess of the qualifying score on the exit assessment(s) as defined in the rules promulgated by the board. The official score report shall be submitted to DESE;

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071 and 168.081, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.230 Application for a Student Services Certificate of License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 919). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education has received some comments on this proposed amendment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The Missouri School Boards Association (MSBA) submitted comments questioning the requirement of fifteen (15) hours of graduate credit for the adult education supervisor and questioning the availability of coursework in adult education.

RESPONSE: The State Boards of Education has carefully reviewed the comments and decided there is no cause for a change to its proposed amendment. The fifteen (15) hours of coursework that is required in order to meet the competencies for the certificate is the same as that required for the vocational director and is necessary to meet the competencies identified for the certificate. There is no requirement which specifically states that the coursework has to be only in adult vocational education, rather it can be in adult or vocational education administration. In addition, all individuals have had the opportunity to comment on proposed amendments through the rulemaking process.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071 and 168.081, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.260 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 919-922). Changes have been made in the text of the proposed amendment, so they are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education has received several comments on this proposed amendment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The State Board of Education has received comments from two (2) individual teachers who expressed concern about allowing unqualified individuals into the classroom.

COMMENT: The Missouri School Boards Association (MSBA) submitted a letter in support of the concept of the Temporary Authorization Certification of License to Teach, but expressed concern that the proposed requirements are too stringent and excludes administrators. MSBA also questioned the renewal requirement of nine (9) hours of coursework; the non-stand-alone certificates for drivers education, English for speakers of other languages, gifted, and special reading; urged the State Board of Education to keep the critical needs program; and seeks the elimination of a Performance Based Teacher Evaluation.

RESPONSE: The State Board of Education has carefully reviewed the comments and decided there is no cause for a change in its proposed amendment. The amendment simplifies the procedures in existence for a one (1)-year temporary certificate to be awarded to individuals with baccalaureate degrees in certain certification areas. The renewal requirements are necessary to ensure the temporary certificate holder is making significant progress toward full certification. The performance evaluations ensure that the temporary certificate holder is maintaining high standards and effective practices in the classroom. In addition, all individuals have had the opportunity to comment on proposed amendments through the rulemaking process.

COMMENT: The Missouri National Education Association (MNEA) submitted a letter and petitions containing 2,545 signatures in opposition to the proposed Temporary Authorization Certificate of License to Teach, asserting that the qualifications are too lenient and requesting a limit on the number of temporary certificates a school could employ.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Education has reviewed the comment and made changes to subsection (6)(E) to exclude from the temporary authorization certificate of license to teach the areas of elementary education,

grades one through six (1-6); early childhood, grades birth through three (B-3); early childhood special education, grades birth through three (B-3); and administration. A new section (10) has been added requiring the public school districts to disclose the certification status of all teachers possessing a temporary authorization certificate of license to teach.

5 CSR 80-800.260 Temporary Authorization Certificate of License to Teach

(6) The applicant for a temporary authorization certificate must comply with the following criteria:

(A) Possession of a baccalaureate or higher degree from an accredited college or university;

(B) Possession of a grade point average of 2.5 or higher on a 4.0 scale, both overall and in the major area of study;

(C) Submission of a joint application verifying contracted employment with a Missouri public school district or accredited non-public school;

(D) If this is the applicant's initial certificate of license to teach, documentation of a plan of an academic program of study from a state-approved teacher preparation program must be submitted. If the applicant holds an initial Missouri professional or life certificate of license to teach and is seeking an additional certificate of license to teach, a transcript analysis from the Department of Elementary and Secondary Education (DESE) based on the requirements set forth in the *Compendium of Missouri Certification Requirements* must be submitted; and

(E) The temporary authorization certificate will not include the areas of elementary education, grades one through six (1-6); early childhood, grades birth through three (B-3); early childhood special education, grades birth through three (B-3); and administration. Applicants for the areas of driver's education, English for speakers of other languages, gifted, and special reading must hold a certificate of license to teach or must also submit an academic program of study for a certificate of license to teach in a stand-alone area, as these areas cannot stand alone.

(10) All Missouri public school districts are required to disclose the certification status of teachers holding temporary authorization certificate of license to teach by public notice in a form established by the State Board of Education and consistent with applicable state laws and regulations.

**Title 5—DEPARTMENT OF ELEMENTARY AND
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Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
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ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071 and 168.081, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.270 Application for a Vocational-Technical
Certificate of License to Teach is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 922). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received a general comment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071 and 168.081, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.280 Application for an Adult Education and Literacy Certificate of License to Teach is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 922). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received a general comment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400 and 168.405, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.350 Certificate of License to Teach Content Areas is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 923-925). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education received some comments on this proposed amendment.

COMMENT: The State Board of Education has received comments from Missouri Southern State College and the University of Missouri-Columbia supporting the addition of categorical science areas of certification, but questioning certain course and hour requirements.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: The State Board of Education has carefully reviewed the comments and decided there is no cause for a change in its proposed amendment. All individuals have had the opportunity to comment on proposed amendments through the rulemaking process.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.360 Certificate of License to Teach Classifications is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 925). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education has received some comments on this proposed amendment.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted a comment expressing dissatisfaction with the administrative procedures for proposing of amendments to the certification rules.

RESPONSE: Any amendments to the certification rules will be subject to the rulemaking process, which provides for a period of comment.

COMMENT: The Missouri National Education Association (MNEA) has questioned whether the *Compendium of Missouri Certification Requirements*, which is incorporated by reference, will only be changed through the rulemaking process.

RESPONSE: The *Compendium of Missouri Certification Requirements* may only be amended through the rulemaking process, including a period of comment on any proposed amendments.

COMMENT: The State Board of Education has received five (5) comments from various parochial schools asking that the Association of Christian School International (ACSI) be designated as an approved accrediting organization.

RESPONSE: That portion of the rule designating approved accrediting organizations was not amended in the notice of proposed rulemaking and cannot be addressed in this order.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Teacher Certification and Professional
Conduct and Investigations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

5 CSR 80-800.380 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2001 (26 MoReg 925-928). Changes have been made in the text of the proposed amendment, so they are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The State Board of Education has received some comments on this proposed amendment.

COMMENT: The Missouri School Boards Association (MSBA) submitted comments opposing the exclusion of certain areas of certification in the granting of additional certificates of license to teach by successfully completing the corresponding Praxis II assessment. The comment also called attention to the fact that the speech-language specialist certification was included in the Appendix A footnote as an area of exclusion, but it was omitted from the text of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Education has carefully reviewed the comments and has added speech-language specialist to subparagraph (1)(A)3.A. to be listed as an exclusion to obtaining additional certification by only successfully completing the Praxis II. The board would also note that the intent of the rule is to allow teachers already holding certification to add other subject areas. It is not intended to allow the addition of certain areas of specialization for which specific training is necessary and critical. Subsection (1)(A) is reprinted here for clarity.

COMMENT: A comment was submitted regarding the lack of language in the rule providing options for individuals holding valid certification in a subject at the secondary level to add middle school certification in the same content area.

RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comment and added language in paragraph (1)(A)4. demonstrating that the applicant has knowledge of middle school philosophies and practices.

COMMENT: A comment was submitted regarding two (2) of the Praxis assessments listed in Appendix A of the rule. The Educational Testing Service recently changed the titles of the Praxis II assessments for Early Childhood Education and Family and Consumer Sciences certification, which necessitates a change in the assessment listings.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Education has carefully reviewed the comment and changed the titles of the assessments in Appendix A. Appendix A is reprinted here for clarity.

COMMENT: The Missouri National Education Association (MNEA) submitted comments expressing disagreement that a single measure, such as the Praxis, is an adequate assessment system, and advocated multiple measures. An additional comment also urged the board to prohibit teacher education institutions from requiring a passing Praxis II score for graduation purposes.

COMMENT: The Missouri Advisory Council for the Certification of Educators (MACCE) submitted comments expressing dissatisfaction with administrative procedures for the proposing of the amendments to the certification rules and suggesting guidelines for making decisions about adjusting minimum qualifying scores for the Praxis II assessments.

RESPONSE: The State Board of Education has carefully reviewed the comments and decided there is no cause for a change to its proposed amendment. All individuals had the opportunity to comment on proposed amendments through the rulemaking process.

5 CSR 80-800.380 Required Assessments for Professional Education Certification in Missouri

(1) Each applicant seeking a Missouri certificate of license to teach will successfully complete an exit assessment to measure the applicant's competency in subject matter, pedagogical knowledge, or both, prior to being granted the certificate.

(A) The State Board of Education (board) has selected the Praxis II: Content Knowledge or Specialty Area assessments and the Principles of Learning and Teaching assessments developed by the Educational Testing Service (ETS) as the exit assessments for certificates of license to teach. Qualifying scores are established by the board and published by ETS for each assessment designated for an area of certification.

1. Applicants seeking initial certificates of license to teach must complete and achieve a Missouri qualifying score in the content knowledge or specialty area assessment in their major area of preparation or the appropriate principles of learning and teaching assessment if no content knowledge or specialty area assessment is designated, except in the areas of special education, student services, and administration (see Appendix A, which is included herein).

2. Applicants for a Missouri certificate of license to teach, having a valid certificate of license to teach in the same or a closely aligned area of certification from another state, having taken that state's required subject or specialty area assessment(s) for that certification and achieved that state's passing score(s), and having at least two (2) years of full-time professional experience in education in the area for which they are seeking Missouri certification, shall not be required to take the designated assessment(s) in Missouri in order to receive the Missouri certificate of license to teach. If no subject or specialty area assessment is required in the state from which the applicant holds a valid certificate of license to teach, the applicant shall successfully complete the assessment(s) designated by the board in order to receive the Missouri certificate of license to teach.

3. Applicants holding a valid Missouri professional or life certificate of license to teach in a content area who are seeking additional certificate(s) of license to teach in other content areas, will receive the additional certificate(s) upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II content knowledge or specialty area assessment designated for the certificate of license to teach, except for the areas of unified science, special education other than mild/moderate cross-categorical disabilities, speech-language specialist, student services, administration, vocational-technical, and adult education and literacy; or

B. Successfully complete the applicable certification requirements as set forth in the *Compendium of Missouri*

Certification Requirements, which is incorporated by reference and made a part of this rule.

4. Applicants holding a valid Missouri professional or life certificate of license to teach in a secondary content area who are seeking additional certification for middle school in the same content area, will receive the additional certification upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II: Principles of Learning and Teaching, grades five through nine (5–9), assessment; or

B. Successfully complete the applicable certification requirements for middle school education, grades five through nine (5–9), as set forth in the *Compendium of Missouri Certification Requirements*, which is incorporated by reference and made a part of this rule.

APPENDIX A

ASSESSMENTS DESIGNATED FOR CERTIFICATION IN MISSOURI

The Praxis® assessments listed below have been designated by the State Board of Education to fulfill the assessment requirement for certification in Missouri. The assessments are listed beside the certificates to which they correspond.

<u>Missouri Certificate of License to Teach</u>	<u>Test Code</u>	<u>Designated Assessment</u>
Early Childhood Education, Birth–Grade 3	10020	Early Childhood Education
Early Childhood Special Education, Birth–Grade 3	10690	Special Education: Preschool/Early Childhood
Elementary Education, Grades 1–6	10011	Elementary Education: Curriculum, Instruction, and Assessment
Middle School Education, Grades 5–9	—	—
Language Arts	10049	MS English–Language Arts: Content Knowledge
Mathematics	20069	MS Mathematics: Content Knowledge
Science	10439	MS Science: Content Knowledge
Social Science	20089	MS Social Studies: Content Knowledge
Other Middle School Subject Areas	30523	Principles of Learning and Teaching, Grades 5–9
Secondary Education, Grades 9–12 (except as noted)	—	—
Agriculture	10700	Agriculture
Art K–12, 9–12	10133	Art: Content Knowledge
Business Education	10100	Business Education
English	10041	English Language, Literature and Composition: Content Knowledge
Family and Consumer Science (Vocational and Non-Vocational)	10120	Family and Consumer Sciences
Foreign Language:		
French K–12	20173	French: Content Knowledge
German K–12	20181	German: Content Knowledge
Spanish K–12	10191	Spanish: Content Knowledge
Health K–12, 9–12	20550	Health Education
Industrial Technology	10050	Technology Education
Library Media Specialist K–12	10310	Library Media Specialist
Marketing and Distributive Education	10560	Marketing Education
Mathematics	10061	Mathematics: Content Knowledge
Music (Instrumental, Vocal) K–12	10113	Music: Content Knowledge
Physical Education K–9, K–12, 9–12	10091	Physical Education: Content Knowledge
Science:		
Biology	20231	Biology: Content Knowledge, Part 1
Chemistry	20241	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
Physics	10261	Physics: Content Knowledge
Social Science	10081	Social Studies: Content Knowledge
Spanish K–12	10191	Spanish: Content Knowledge
Special Education K–12 ¹	10350	Special Education
Mild-Moderate Disabilities, Blind/Partially Sighted, Hearing Impaired, Severely Developmentally Disabled		
Speech/Theater	10220	Speech Communication
Speech and Language Specialist K–12 ³	20330	Speech–Language Pathology

Unified Science: ²	—	—
Biology	20231	Biology: Content Knowledge, Part I
Chemistry	20241	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
Physics	10261	Physics: Content Knowledge
K–12 or 9–12 teaching certification for which no specialty area assessment or content knowledge assessment is designated	30524	Principles of Learning and Teaching, Grades 7–12
School Counselor K–8, 7–12 ³	20420	School Guidance and Counseling
Building-Level Administrator ³	11010	School Leaders Licensure Assessment (SLLA)
Principal K–8, 9–12		
Special Education Administrator K–12		
Vocational School Director		
District-Level Administrator (Superintendent) K–12 ³	11020	School Superintendent Assessment (SSA)

1. Additional certification by completion of the designated assessment only is limited to Mild-Moderate Disabilities: Cross-Categorical.
2. Not available by completion of the designated assessment only; also requires completion of a program of study for the unified science core with the area of specialization from a state-approved institution.
3. Not available by completion of the designated assessment only; also requires completion of a program of study and a recommendation from a state-approved institution.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 40—Division of Fire Safety
Chapter 5—Elevators

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 701.355, RSMo 2000, the department amends a rule as follows:

11 CSR 40-5.065 Missouri Minimum Safety Codes for Existing Elevator Equipment is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1173). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805, 313.807 and 313.817, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-5.100 Chip Specifications is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2001 (26 MoReg 1054). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805 and 313.807.4, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-5.237 Shipping of Electronic Gaming Devices is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2001 (26 MoReg 1054–1055). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 12—Liquor Control

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805 and 313.840, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-12.090 Rules of Liquor Control is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2001 (26 MoReg 1055–1056). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 12—Liquor Control**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805 and 313.840, RSMo 2000, the commission adopts a rule as follows:

11 CSR 45-12.091 Controlled Access Liquor Cabinet Systems is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2001 (26 MoReg 1057-1059). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received one comment on the proposed rule.

COMMENT: An internal comment regarding a technical/grammatical change was submitted.

RESPONSE: The Commission has considered this comment and has decided to make no change in the rule.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, 306.114, 306.117, 577.020, 577.023, 577.026, 577.029, 577.031, 577.033, 577.037, 577.039 and 577.041, RSMo 2000, the department amends a rule as follows:

19 CSR 25-30.011 General Provisions for the Determination of Blood, Breath, Saliva or Urine Analysis and Drug Testing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1184). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, 306.114, 306.117, 577.020, 577.023, 577.026, 577.029, 577.031, 577.033, 577.037, 577.039 and 577.041, RSMo 2000, the department amends a rule as follows:

19 CSR 25-30.050 Approved Breath Analyzers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1185). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, 306.114, 306.117, 577.020, 577.023, 577.026, 577.029, 577.031, 577.033, 577.037, 577.039 and 577.041, RSMo 2000, the department amends a rule as follows:

19 CSR 25-30.070 Approval of Methods for the Determination of Blood Alcohol Content From Samples of Blood, Urine or Saliva is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1185). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, 306.114, 306.117, 577.020, 577.023, 577.026, 577.029, 577.031, 577.033, 577.037, 577.039 and 577.041, RSMo 2000, the department amends a rule as follows:

19 CSR 25-30.080 Approval of Methods for the Analysis of Blood and Urine for the Presence of Drugs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2001 (26 MoReg 1186). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
K. C. Police Credit Union 2800 E. 14 th Street Kansas City, MO 64127	Individuals eligible to belong to The Missouri Peace Officers Association, employees of the Missouri Peace Officers Association, individuals who work for agencies eligible to belong to the Missouri Police Chiefs Associations, individuals who work for agencies eligible to belong to the Metropolitan Chiefs and Sheriffs Association, employees of the Metropolitan Chiefs and Sheriffs Association, and immediate members of families of such individuals and employees and pensioners and organizations and associations of all of the aforementioned.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the Missouri Register.*

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and Substance
Abuse Programs**

IN ADDITION

A proposed rule, 9 CSR 10-7.020, was published in the *Missouri Register* on April 2, 2001 (26 MoReg 710-711) and a final order of rulemaking was published on September 4, 2001 (26 MoReg 1710). A typographical error occurred in subsection (9)(C) where 9 CSR 10-7.050 Behavioral Management should have read 9 CSR 10-7.060 Behavior Management. The rule will appear correctly in the September 30, 2001 update to the *Code of State Regulations*.

Subsection (9)(C) is reprinted here for clarification.

9 CSR 10-7.020 Rights, Responsibilities, and Grievances

(9) Practices to Promote Safety and Well-Being. The organization shall demonstrate a commitment to the safety and well-being of the individuals it serves. The organization's policies, procedures and practices shall—

(C) Ensure safety by effectively responding to any threats of suicide, violence or harm. Any use of seclusion or restraint shall be in accordance with 9 CSR 10-7.060 Behavior Management.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and Substance
Abuse Programs**

IN ADDITION

A proposed rule, 9 CSR 10-7.030, was published in the *Missouri Register* on April 2, 2001 (26 MoReg 711-714) and a final order of rulemaking was published on September 4, 2001 (26 MoReg 1710-1711). Section (5) was mistakenly numbered as section (4) in the order of rulemaking. The rule will appear correctly in the September 30, 2001 update to the *Code of State Regulations*.

Section (5) is reprinted here in its entirety for clarification.

9 CSR 10-7.030 Service Delivery Process and Documentation

(5) Missed Appointments. Agencies shall establish policies and procedures, consistent with needs and requirements of clients, to contact persons who fail to appear at a scheduled program activity.

(A) Such efforts should be initiated within forty-eight (48) hours, unless circumstances indicate a more immediate contact should be made due to the person's symptoms and functioning or the nature of the scheduled service.

(B) Efforts to contact the person shall be documented in the individual's record.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri**

STATEMENT OF ACTUAL COST

**10 CSR 10-6.110 Submission of Emission Data, Emission Fees
and Process Information**

The fiscal note published for this rule in the *Missouri Register* on June 15, 1999 (24 MoReg 1520-1533) was estimated to cost certain public entities and political subdivisions \$9,283,196 during Fiscal Year 2001. For that period, the actual cost of the rule to those state agencies and political subdivisions was \$10,369,657.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 14—Operator Certification**

IN ADDITION

An amendment on this rule was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2889-2898) and a final order of rulemaking was published on June 1, 2001 (26 MoReg 1203-1206). The rule as ordered appeared in the June 30, 2001 *Code of State Regulations* update.

However, there was a typographical error in Table 1 of subsection (1)(C) where the Equivalent Experience for Certificate Level C should have read "(of which one (1) year may be equivalent)."

This error will be corrected in the September 30, 2001 *Code of State Regulations* update.

Subsection (1)(C) and Table 1 are reprinted here for clarification.

10 CSR 60-14.020 Certification of Public Water System Operators

(1) Training and Experience Required for Certification.

(C) In order to be eligible for a certificate, the applicant must have accumulated actual or equivalent operational experience and in accordance with Tables 1 and 2.

Table 1. Experience Requirements for a Water Treatment Certificate.

Certificate Level	Minimum Actual and Equivalent Experience
A	Five and one-half (5 1/2) years of water treatment facility operating experience (of which two (2) years may be equivalent)
B	Three and one-half (3 1/2) years of water treatment facility operating experience (of which one (1) year may be equivalent)
C	One and one-half (1 1/2) years of water treatment facility operating experience (of which one (1) year may be equivalent)
D	Six (6) months of water treatment facility operating experience (which may be equivalent)

**Title 19—DEPARTMENT OF HEALTH
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

APPLICATION REVIEW SCHEDULE

DATE FILED:

APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the September 24, 2001, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

08/02/01

#3156 NP: The Lutheran Home for the Aged
Cape Girardeau (Cape Girardeau County)
\$216,847, Long-term care (LTC) bed expansion
through the purchase of 4 skilled nursing facility (SNF)
beds from St. Joseph's Hill Infirmary, Eureka
(Jefferson County),
and 22 SNF beds from Pine View Manor, Inc.,
Stanberry (Gentry County)

08/14/01

#3165 RS: Joe Clark Residential Care Home
Nevada (Vernon County)
\$1,500,000, Replace 20-bed RCF II

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written

request to this effect, which must be received by September 13, 2001. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

Construction Transient

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
A & J CONSTRUCTION CO	RT 1 BOX 45	FLORIS	IA	52560
A FISCHER BUILDERS INC	814 OHIO ST	QUINCY	IL	62301
ABELL PEST CONTROL INC	4921 FERNLEE AVE	ROYAL OAK	MI	48073
AC LEADBETTER & SON INC	110 ARCO DR	TOLEDO	OH	43615
ACI MECHANICAL CORPORATION	3116 SOUTH DUFF AVE	AMES	IA	50010
ACI MECHANICAL INC	3116 S DUFF AVE	AMES	IA	50010
ADDISON CONSTRUCTION CO	1526 HORSE CREEK RD	CHEYENNE	WY	82009
ADUDELLE ROOFING & SHEET METAL INC	14220 S MERIDIAN	OKLAHOMA	OK	73173
ADVANCED ELECTRICAL SYSTEMS INC	33867 W 287TH ST	PAOLA	KS	66071
ADVANCED PROTECTIVE COATING INC	2530 BAYARD ST	KANSAS CITY	KS	66105
AEI INC	735 GLASER PKWY	AKORN	OH	44306
AERIAL SOLUTIONS INC	7074 RAMSEY FORD ROAD	TABOR CITY	NC	28463
AGRA FOUNDATIONS INC	10108 32ND AVE W C-3 #A2	EVERETT	WA	98204
AIDE INC	2510 WADE HAMPTON BLVD	GREENVILLE	SC	29606
ALL IOWA CONTRACTING CO	5613 MCKEVETTE RD	WATERLOO	IA	50701
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALLIED UNIKING CORPORATION INC	4750 CROMWELL AVE	MEMPHIS	TN	38118
ALLSTATE SPECIALTY CONSTRUCTION INC	32700 W 255TH ST	PAOLA	KS	66071
AMAN ENVIRONMENTAL CONSTRUCTION INC	100 CALIFORNIA ST TX DEPT	SAN FRANCISCO	CA	94111
AMERICAN IRONWORKS INC	100 S MAIN	CUTLER	IL	62238
AMERICAN MASONRY CO	1016 W EUCLID	PITTSBURG	KS	66762
AMERICASDOCTOR.COM COORDINATORS SERVICES INC	3315 S 23RD STR 108	TACOMA	WA	98405
ANDERSEN TRENCHING & EXCAVATING INC	17263 SUMAC RD	HONEY CREEK	IA	51542
ANGELO IAFRATE CONSTRUCTION COMPANY	26400 SHERWOOD	WARREN	MI	48091
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
API INC	2366 ROSE PL	ST PAUL	MN	55113
APPLICATION CONTRACTORS SERVICES IN	14409 W EDISON DR #13A	NEW LENOX	IL	60451
ARCHITECTURAL GLAZING PROFESSIONALS	11655 CLARE RD	OLATHE	KS	66061
ARGUSS COMMUNICATIONS GROUP INC	DOVER RD	EPSOM	NH	03234
ARKANSAS CONTRACTORS	1308 CHURCH	BARLING	AR	72952
ARNOLD & MADSON INC	1995 CENTURY AVE SO	WOODBURY	MN	55125
ARROW PAINTING	P O BOX 407	PICKERINGTON	OH	43147
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
AUGERS UNLIMITED INC	14910 METROPOLITAN AVE	BONNER SPRINGS	KS	66012
AUTRY CONSTRUCTION INC	140 E 3RD	BAXTER SPRINGS	KS	66713
B & B CONTRACTORS INC	13745 SEMINOLE DR	CHINO	CA	91710
B & B DRYWALL CO INC	10567 WIDMER	LENEXA	KS	66215
B & B PERMASTORE INC	6750 W 75TH STE 1A	OVERLAND PARK	KS	66204
B & D ELECTRIC INC	P O BOX 43	STAMPS	AR	71860
BADGER INDUSTRIAL CONTRACTORS INC	105 FAIRVIEW RD	ASHEVILLE	NC	28803
BALL CONSTRUCTION INC	13922 WEST 108TH ST	LENEXA	KS	66215
BANKERS EDGE	1288 VALLEY FORGE STE 50	VALLEY FORGE	PA	19482
BARROWS EXCAVATION INC	49 COUNTY RD #404	BERRYVILLE	AR	72616
BARTLETT NUCLEAR INC	60 INDUSTRIAL PARK RD	PLYMOUTH	MA	02360
BASTIAN MATERIAL HANDLING	9820 ASSOCIATION CT	INDIANAPOLIS	IN	46280
BAZIN EXCAVATING INC	15233 BROADMOOR	OVERLAND PARK	KS	66283
BE & K ENGINEERING COMPANY	2000 INTERNATIONAL PK DR	BIRMINGHAM	AL	35243
BEL CLAIR ELECTRIC INC	912 S BELT W	BELLEVILLE	IL	62220
BENCHMARK INC	6065 HUNTINGTON CT NE	CEDAR RAPIDS	IA	52402
BERNIE JANNING TERRAZZO & TILE INC	17509 HWY 71	CARROLL	IA	51401
BEST PLUMBING & HEATING	421 SECTION OD	SCAMMON	KS	66773
BEW CONSTRUCTION CO INC	1319 MAIN ST	WOODWARD	OK	73801
BILL DAVIS ROOFING LC	628 VERMONT	LAWRENCE	KS	66044
BJ ERECTION CORPORATION	16626 MILES AVE	CLEVELAND	OH	44128
BLACKSHIRE CONSTRUCTION INC	ROUTE 14 BOX 942	ELIZABETH	WV	26143
BLAZE MECHANICAL INC	15755 S 169 HWY STE E	OLATHE	KS	66062
BLICKS CONSTRUCTION CO INC	LOCK & DAM RD	QUINCY	IL	62301
BOB FLORENCE CONTRACTOR INC	1934 S KANSAS AVE	TOPEKA	KS	66612
BOB MUEHLBERGER CONCRETE INC	5726 MERRIAM DR	MERRIAM	KS	66203
BONNEVILLE CONSTRUCTION CO INC	4075 W DESERT INN RD # B	LAS VEGAS	NV	89102
BOYD ELECTRIC	3315 N 70TH ST	KANSAS CITY	KS	66109
BRADEN CONSTRUCTION SERVICES INC	5110 N MINGO RD	TULSA	OK	74117
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BRIGHTON PAINTING CO	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
BRINK ELECTRIC CONSTRUCTION CO	2950 N PLAZA DR	RAPID CITY	SD	57702
BROWNING WELDING SERVICE INC	163 SHAW BRIDGE ROAD	GREENBRIER	AR	72058
BUCKLEY ROOFING CO INC	3601 N HYDRAULIC	WICHITA	KS	67219
BUILDINGS INC	235 SOUTH 40TH	SPRINGDALE	AR	72765
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
C & C CONTRACTING INC	222 SOUTH SECOND ST	ORLEANS	IN	47452
C IBER & SONS INC	3212 N MAIN	EAST PEORIA	IL	61611
CALLS METAL BLDG ERECTORS INC	8128 12TH ST	SOMERS	WI	53171
CAPITAL INSULATION INC	3210 NE MERIDEN RD	TOPEKA	KS	66617
CARNEY DEMOLITION	303 S HALSTED	CHICAGO	IL	60661
CARTER MOORE INC	1865 E MAIN ST STE F	DUNCAN	SC	29334

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CAS CONSTRUCTION INC	501 NE BURGESS	TOPEKA	KS	66608
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CASHATT & SONS CORP	BOX 74	RED OAK	IA	51566
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CD PETERS CONSTRUCTION CO	IL RT 3 & W PONTOON RD	GRANITE CITY	IL	62040
CDK SKANSKA INC	800 S HUTTON RD	FARMINGTON	NM	87401
CENTRAL CEILING SYSTEMS INC	105 INDUSTRIAL PARK	DEERFIELD	WI	53531
CENTRAL FOUNDATION INC	915 MARION RD S	CENTRAL CITY	IA	52214
CENTRAL ILLINOIS TILE CO	3302 N MATTIS AVE	CHAMPAIGN	IL	61821
CENTRAL STATES CONTRACTING SERVICES	610 S 78TH ST	KANSAS CITY	KS	66111
CENTRAL STATES ENVIRONMENTAL SERVIC	609 AIRPORT ROAD	CENTRALIA	IL	62801
CENTURY MECHANICAL CONTRACTORS INC	15480 S 169 HWY	OLATHE	KS	66051
CHALLENGE CONSTRUCTION	PO BOX 1509	MANVEL	TX	77578
CHANCE CONSTRUCTION CO	ITALY & BARBER ST	HEMPHILL	TX	75948
CHANCELLOR & SON INC	7474 RALEIGH LAGRANGE RD	CORDOVA	TN	38018
CHESTER PHILLIPS CONSTRUCTION COMPANY	1501 N UNIVERSITY STE 740	LITTLE ROCK	AR	72207
CLARK CORPORATION THE	141 CATHERINE ST	EAST PEORIA	IL	61611
CLEVINGER CONTRACTORS INC	NAPLES LANE RR1 PO BOX 19	BLUFFS	IL	62621
CLIFFORD LEE & ASSOCIATES	292 MELVIN HARRIS RD	MANCHESTER	GA	31816
COAST TO COAST BUILDERS INC	750 E FUNSTON	WICHITA	KS	67211
COE CONSTRUCTION INC	2302 E 13TH ST	LOVELAND	CO	80537
COLE ARMSTRONG MECHANICAL INC	3232 51ST AVE #7	SACRAMENTO	CA	95823
COLLECTOR WELLS INTERNATIONAL INC	6360 HUNTLEY RD	COLUMBUS	OH	43229
COMMERCIAL CONTRACTING CO OF SAN AN	5797 DIETRICH RD	SAN ANTONIO	TX	78219
COMMERCIAL CONTRACTORS INC	729 LINCOLN AVE	HOLLAND	MI	49423
COMMUNICATIONS CONSTRUCTION INC	601 E ST	HAMBURG	IA	51640
COMO TECH INSPECTIONS INC	40 DEEP CREEK RD	MANHATTAN	KS	66502
CONLEY SPRINKLER INC	822 MAIN	PLEASANTON	KS	66075
CONSTRUCTION MANAGEMENT INC	108 JACKMAN ST	GEORGETOWN	MA	01833
CONSTRUCTION MARKET DATA GROUP INC	275 WASHINGTON ST	NEWTON	MA	02458
CONSTRUCTION SERVICES BRYANT INC	232 NEW YORK ST	WICHITA	KS	67214
CONSTRUCTORS INC	P O BOX 46417	BATON ROUGE	LA	70895
CONTRACT DEWATERING SERVICES INC	5820 W RIVERSIDE DR	SARANAC	MI	48881
CONTRACTOR SERVICES INC	122 EAST 17TH ST	DAVENPORT	IA	52808
COOPERS STEEL FABRICATORS	503 N HILLCREST DR	SHELBYVILLE	TN	37162
CORNERSTONE COMMERCIAL CONTRACTORS	1260 JERICO	CORNING	IA	50841
CORONA POWER SERVICES INC	5220 MINOLA DR	LITHONIA	GA	30038
CORONADO INC	1835 WALL ST	SALINA	KS	67401
COST OF WISCONSIN INC	W172N13050 DIVISION RD	ROCKFIELD	WI	53077
COWARTS CONSTRUCTION COMPANY INC	WILDERNESS RD	SALEM	AR	72576
CRANE CONSTRUCTION COMPANY LLC	343 WAINWRIGHT DR	NORTHBROOK	IL	60062
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CRONISTER & COMPANY INC	FORBES FIELD BL 281 UNT E	TOPEKA	KS	66619
CROSSLAND HEAVY CONTRACTORS INC	S HWY 69	COLUMBUS	KS	66275
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CUNNINGHAM INC	112 6TH AVENUE W	OSKALOOSA	IA	52577
CUST O FAB TANK SERVICES LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUSTOM ROCK INTERNATIONAL	1156 HOMER ST	ST PAUL	MN	55116
CUTCO INC	RR 1 BOX 121	WYOMING	IL	61491
CYLX CORPORATION	BOX 1087	BARTLESVILLE	OK	74005
D & D PIPELINE CONSTRUCTION CO INC	4700 W HWY 117	SAPULPA	OK	74066
DALRYMPLE & CO	3675 S NOLAND RD STE 102	INDEPENDENCE	MO	64055
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DAVE OSBORNE CONSTRUCTION CONTRACTI	15600 28TH AVE N	PLYMOUTH	MN	55447
DAVID A NICE BUILDERS INC	4571 WARE CREEK ROAD	WILLIAMSBURG	VA	23188
DAVIS ELECTRICAL CONSTRUCTORS INC	429 N MAIN ST	GREENVILLE	SC	29602
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DDD COMPANY	8000 CORPORATE DR STE 100	LANDOVER	MD	20785
DEI INC	1550 KEMPER MEADOW DR	CINCINNATI	OH	45240
DELCO ELECTRIC INC	7615 N CLASSEN BLVD	OKLAHOMA CITY	OK	73116
DEMCO INC	238 LEIN RD	BUFFALO	NY	14224
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIAMOND ELECTRIC SERVICE INC	21325 W 105TH ST	OLATHE	KS	66061
DIAMOND SURFACE INC	13792 REIMER DR N	MAPLE GROVE	MN	55311
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIMENSIONAL TECHNOLOGY INC	6717 LINDEN LN	HUNTLEY	IL	60142
DIVINE INC	2310 REFUGEE RD	COLUMBUS	OH	43207
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST	TOPEKA	KS	66609
DOBSON DAVIS COMPANY	8521 RICHARDS RD	LENEXA	KS	66215
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	MI	48601
DON BELL HOMES INC	11599 N RIDGEVIEW	OLATHE	KS	66061
DONALD E MCNABB COMPANY INC	31250 S MILFORD RD	MILFORD	MI	48381
DOSTER CONSTRUCTION CO INC	2619 COMMERCE BLVD	BHAM	AL	35210
DOUBLE O MASONRY INC	722 S 260TH ST	PITTSBURG	KS	66762
DRAINAGE & GROUND IMPROVEMENT INC	275 MILLERS RUN RD	BRIDGEVILLE	PA	15017
DUAL TEMP ILLINOIS INC	3801 S SANGAMON ST	CHICAGO	IL	60609
DUOING ENTERPRISES INC	1910 ESTELLE LANE	PLACENTIA	CA	92870
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DW PROEHL CONSTRUCTION INC	818 N HELEN AVE	SIOUX FALLS	SD	57104
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARD KRAEMER & SONS INC	ONE PLAINVIEW RD	PLAIN	WI	53577
ELECTRICAL LINE SERVICES INC	14200 S TULSA DR	OKLAHOMA CITY	OK	73170
ELECTRICAL SPECIALISTS INC	401 WEST BOYTON STREET	MARION	IL	62959
ENERGY CONTROL SYSTEMS	357 MIXON LN	OZARK	AL	36360

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
ENERGY DELIVERY SERVICES INC	3909 W FIFTH ST	CHEYENNE	WY	82003
ENERGY SYSTEMS GROUP LLC	101 PLAZA E BLVD 320	EVANSVILLE	IN	47715
ENTRUP DRYWALL & PAINTING INC	3 BLUFF VIEW RD	QUINCY	IL	62301
ENVIRONMENTAL SYSTEMS DESIGN INC	55 E MONROE ST STE 1660	CHICAGO	IL	60603
EQUUS METALS	1415 S JOPLIN AVE	TULSA	OK	74112
ERVIN CABLE CONSTRUCTION INC	260 N LINCOLN BLVD E	SHAWNEETOWN	IL	62984
ESCO ELECTRICAL SERVICES INC	520 E MAIN	EL DORADO	AR	71730
EVCO NATIONAL INC	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
EXCEL CABLE CONSTRUCTION INC	11501 COLUMBIA PK DR WEST	JACKSONVILLE	FL	32258
EXCEL ENGINEERING INC	500 73RD AVE NE # 119	FRIDLEY	MN	55432
EXXEL PACIFIC INC	323A TELEGRAPH RD	BELLINGHAM	WA	98226
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON LLC	3400 JACKSON PIKE	GROVE CITY	OH	43123
FALCON ELECTRIC INC	100 NORTH FIRST ST	CLARKSBURG	WV	26301
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FAYETTEVILLE PLUMBING & HEATING CO INC	P O BOX 1061	FAYETTEVILLE	AR	72702
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FISHEL COMPANY THE	1810 ARLINGATE LN	COLUMBUS	OH	43228
FJW GROUP INC	905 W MITCHELL	ARLINGTON	TX	76013
FLOOR CRETE ENTERPRISES INC	6223 GESSNER DR	HOUSTON	TX	77041
FOLTZ CONSTRUCTION INC	BOX 38	PATOKA	IL	62875
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORD CONTRACTING CORP	1307 E COURT ST	DYERSBURG	TN	38024
FREESIN INC	316 S PEARL	BLUFFS	IL	62621
G & L SERVICES INC	1651 CAREY AVE #4	CHEYENNE	WY	82001
GALACTIC TECHNOLOGIES INC	400 N LOOP 1604 E STE 210	SAN ANTONIO	TX	78232
GALE INDUSTRIES INC	2339 BEVILLE RD	DAYTONA BEACH	FL	32119
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GARY SANDERS MASONRY	109 AVE F	WEST POINT	IA	52656
GEISSLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENE FRITZEL CONSTRUCTION COMPANY I	628 VERMONT	LAWRENCE	KS	66044
GENE FRITZEL CONSTRUCTION SERVICES	628 VERMONT	LAWRENCE	KS	66044
GFS LIFESAFETY CORP	LCR 740A RT 3 BOX 62B	THORNTON	TX	76687
GIBRALTAR CONSTRUCTION CO INC	42 HUDSON ST STE A207	ANNAPOLIS	MD	21401
GINGHER PROCESS PIPING INC	3011 N MAIN ST	EAST PEORIA	IL	61611
GLEESON CONSTRUCTORS INC	2015 E 7TH ST	SIOUX CITY	IA	51105
GLOBAL COMPUTER ASSOCIATES INC	3 GARRET MOUNTAIN PLAZA	WEST PATERSON	NJ	07424
GOERLICH ROOFING INC	4400 HARRISON	QUINCY	IL	62301
GRAHAM CONSTRUCTION COMPANY	500 LOCUST ST	DES MOINES	IA	50309
GRAYLING INCORPORATED	10258 SANTA FE DR	OVERLAND PARK	KS	66212
GRAZZINI BROS COMPANY	620 16TH AVE S	MINNEAPOLIS	MN	55454
GREAT BARRIER ISULATION CO	1200 CORPORATE DR STE 325	BIRMINGHAM	AL	35238

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
GREAT SOUTH CONSTRUCTION CO INC	2500 HWY 31 SOUTH	PELHAM	AL	35124
GREAT SOUTHWESTERN CONSTRUCTION INC	6880 SO I 25	CASTLE ROCK	CO	80104
H & H SERVICES INC	391 OLD RTE N 66	HAMEL	IL	62046
H & H SYSTEMS & DESIGN INC	130 EAST MAIN ST	NEW ALBANY	IN	47150
H & L ELECTRIC INC	8651 E HIGHWAY 24	MANHATTAN	KS	66502
H & M CONSTRUCTION CO INC	431 LIBERTY ST	MILAN	TN	38358
HANLIN RAINALDI CONSTRUCTION CORP	6610 SINGLETREE DR	COLUMBUS	OH	43229
HANSON ELECTRIC OF BEMIDJI INC	3125 BEMIDJI AVE N	BEMIDJI	MN	56601
HARBERT YEARGIN INC	105 EDINBURGH CR	GREENVILLE	SC	29607
HARDAWAY CONSTRUCTION CORP OF TENNE	615 MAIN STREET	NASHVILLE	TN	37206
HARNESS ROOFING INC	P O BOX 1382	HARRISON	AR	72601
HART PAINTING	2555 SW 50	OKLAHOMA CITY	OK	73119
HARTCO CABLE INC	P O BOX 32	GENESEO	IL	61254
HASTCO INC	813 GRAHAM	EMPORIA	KS	66801
HEAD INC	4920 E FIFTH AVE	COLUMBUS	OH	43219
HEBER E COSTELLO INC	609 COSTELLO ROAD	OAK GROVE	LA	71263
HENNING CONSTRUCTION COMPANY	5870 MERLE HAY RD	JOHNSTON	IA	50131
HENRIKSEN CONSTRUCTION INC	4503 2ND AVE #101	KEARNEY	NE	68847
HERITAGE HOUSING DEVELOPMENT INC	16133 VENTURA BLVD #965	ENCINO	CA	91436
HERMAN STEWART CONSTRUCTION & DEVEL	7611 SOUTH OSBORNE RD	UPPER MARLBORO	MD	20772
HOGUE HORN & PASHMAN INC	922 MISSOURI	LAWRENCE	KS	66044
HOLIAN ASBSTS RMVL & ENCPSLTN CORP	7504 MEYER RD	SPRING GROVE	IL	60081
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HORIZON GENERAL CONTRACTORS INC	7315 W ELIZABETH LN	FT WORTH	TX	76116
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HOSPITALITY BUILDERS INC	PO BOX 1565	ABERDEEN	SD	57402
HUEGERICH CONSTRUCTION INC	512 N COURT	CARROLL	IA	51401
HUFF SEALING CORPORATION	HWY 15E	ALBION	IL	62806
HUSTON CONTRACTING INC	25640 W 143RD ST	OLATHE	KS	66061
HUTTON POWER & TELEPHONE CONSTRUCTION CO	ALONG HWY 45	RUSHVILLE	MO	64484
HUXTABLE KC SERVICE INC	16210 W 108TH	LENEXA	KS	66219
HY VEE WEITZ CONSTRUCTION LC	1501 50TH ST BLDG 1 #325	WEST DES MOINES	IA	50266
ILLINI MECHANICAL INC	1024 LOWRY	PITTSFIELD	IL	62363
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL POWER & PROCESS CORP	P O BOX 38995	GREENSBORO	NC	27438
INDUSTRIAL PROCESS TECHNOLOGY INC	2213 7TH AVE N	FARGO	ND	58108
INGRAM CONSTRUCTION COMPANY INC OF	173 HOY RD	MADISON	MS	39110
INNOVATIVE SYSTEMS OF KANSAS INC	2915 STRONG AVE	KANSAS CITY	KS	66106
INSULCON COMPANY INC	10500 UNIVERSITY CTR #155	TAMPA	FL	33612
INTEC SERVICES INC	454 LINK LN	FT COLLINS	CO	80522
INTERSTATES ELEC & ENGINEERING	1520 INDUSTRIAL PARK	SIOUX CENTER	IA	51250
INTL BROTHERHOOD OF ELECTRICAL WORK	106 N MONROE ST	WEST FRANKFORT	IL	62896

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IVEY MECHANICAL CO A PARTNERSHIP	514 NORTH WELLS ST	KUSCIUSKO	MS	39090
J & J CONSTRUCTION & SUPPLY INC	1136 W KANSAS	MCPHERSON	KS	67460
J & J MAINTENANCE INC	3755 CAPITAL OF TX HWY S	AUSTIN	TX	78704
J W BUCK CONSTRUCTION CO INC	4103 FRANDFORD AVE	LUBBOCK	TX	79407
JAMES CAPE & SONS CO	6422 N HWY 31	RACINE	WI	53401
JAMES N GRAY CONSTRUCTION CO	250 W MAIN ST	LEXINGTON	KY	40507
JANSSEN GLASS & MIRROR INC	5002 HADLEY	OVERLAND PARK	KS	66202
JAY MCCONNELL CONSTRUCTION INC	8242 MARSHALL DR	LENEXA	KS	66214
JE CAMPBELL INC	HWY 45E SOUTH	SOUTH FULTON	TN	38257
JET HEATING INC	P O BOX 7362	SALEM	OR	97303
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JOEL FRITZEL BUILDERS INC	3320 CLINTON PARKWAY CT	LAWRENCE	KS	66047
JOHANSEN DRAINAGE & TILE	RT 1 BOX 152	RULO	NE	68431
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146
JOHNSON INDUSTRIAL SERVICES INC	200 BENTLEY CIR	SHELBY	AL	35143
JOLLEY CONSTRUCTION COMPANY	6148 LEE HWY STE 200	CHATTANOOGA	TN	37421
JOMAX CONSTRUCTION COMPANY INC	S 281 HWY	GREAT BEND	KS	67530
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JR ROOFING INC	P O BOX 204	LE MARS	IA	51031
JR STELZER CO	5850 RUSSELL DR	LINCOLN	NE	68507
JS ROLLINS INC	1776 VFW ROAD	BARLOW	KY	42024
JULIAN CONSTRUCTION COMPANY	15521 W 110TH ST	LENEXA	KS	66219
JULIUS KAAZ CONSTRUCTION COMPANY IN	716 CHEROKEE	LEAVENWORTH	KS	66048
K & M ELECTRICAL CONTRACTORS INC	940 COMMERCIAL SUITE B	ATCHISON	KS	66002
KAJIMA ASSOCIATES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KAJIMA CONSTRUCTION SERVICES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KANSAS BUILDING SYSTEMS INC	1701 SW 41ST	TOPEKA	KS	66609
KASBOHM CUSTOM DRILLING INC	11404 OAKTON RD	SAVANNA	IL	61074
KAYTON ELECTRIC INC	PO BOX 27	HOLDREGE	NE	68949
KDS CONSTRUCTION	9318 GULFSTREAM RD UNIT C	FRANKFORT	IL	60423
KEARNEY & SON CONSTRUCTION INC	2500 NORTH 7TH ST	LAWRENCE	KS	66044
KEARNEY ELECTRIC INC	3609 E SUPERIOR AVE	PHOENIX	AZ	85040
KEITH AUSTIN	3001 WEDINGTON DR #106	FAYETTEVILLE	AR	72701
KELLEY DEWATERING & CONSTRUCTION CO	5175 CLAY AVENUE SW	WYOMING	MI	49548
KELLY CONSTRUCTION INC	P O BOX 32152	OKLAHOMA CITY	OK	73123
KENJURA TILE INC	BOX 158	BRENHAM	TX	77834
KEOKUK CONTRACTORS INC	853 JOHNSON ST RD	KEOKUK	IA	52632
KESSLER CONSTRUCTION INC	13402 W 92ND ST	LENEXA	KS	66215
KG MOATS & SONS	9515 US HWY 63	EMMETT	KS	66422
KGL ASSOCIATES INC	759 ADAMS ST	DENVER	CO	80206
KIM CONSTRUCTION CO INC	3142 HOLEMAN	STEGER	IL	60475
KING LAR COMPANY	2020 E OLIVE STREET	DECATUR	IL	62525

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KNICKERBOCKER CONSTRUCTION INC	4823 LAKEWOOD DR	NORWALK	IA	50211
KUHLMAN REFRIGERATION INC	N56W16865 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
KURISU INTERNATIONAL INC	11125 SW BARBUR BL	PORTLAND	OR	97219
L & J CONSOLIDATED ENTERPRISES INC	107 OXFORD	HARRISON	AR	72601
L & L CONSTRUCTION SERVICES INC	107 3RD ST	DES MOINES	IA	50309
L & L INSULATION & SUPPLY CO	3305 SE DELAWARE AVE	ANKENY	IA	50021
L E BELL CONSTRUCTION COMPANY INC	1226 COUNTY ROAD 11	HEFLIN	AL	36264
LAKE CONTRACTING INC	4650 STONE CHURCH RD	ADDIEVILLE	IL	62214
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRI	WI	53158
LANDSCAPES UNLIMITED INC	1601 OLD CHENEY RD	LINCOLN	NE	68512
LARRY COX CONSTRUCTION	50 FORT COX RD	HEBER SPRINGS	AR	72543
LEMAR CONSTRUCTION	2829 BRADY ST	DAVENPORT	IA	52803
LESSARD NYREN UTILITIES INC	17385 FOREST BLVD N	HUGO	MN	55038
LH SOWLES CO	2813 BRYANT AVE S	MINNEAPOLIS	MN	55408
LICAUSI CONSTRUCTION COMPANY	8301 W 125TH ST	OVERLAND PARK	KS	66213
LIFE SAFETY INC	12428 VETERANS MEM PKWY	LAFAYETTE	AL	36862
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LIN R ROGERS ELECTRICAL CONTRACTORS	3000 NORTHFIELD PL ST1100	ROSWELL	GA	30076
LINAWEAVER CONSTRUCTION INC	719 GILMAN RD	LANSING	KS	66043
LITTLE ROCK ELECTRICAL CONTRACTORS	13008 LAWSON RD	LITTLE ROCK	AR	72210
LONG CONSTRUCTION INC	1600 E SUNVALE DR	OLATHE	KS	66062
LONGAN CONSTRUCTION COMPANY	1635 US HWY 59 N	GROVE	OK	74344
LOWE NORTH CONSTRUCTION INC	800 A LINE DR	SPRING HILL	KS	66083
LPR CONSTRUCTION CO	1171 DES MOINES AVE	LOVELAND	CO	80537
LUNDA CONSTRUCTION CO	620 GEBHARDT RD	BLACK RIVER FAL	WI	54615
LUTTENBERGER & CO INC	1501 MONROE ST	TOLEDO	OH	43624
LVI ENVIRONMENTAL SERVICES	225 FENCL LANE	HILLSIDE	IL	60162
M A MORTENSON CO	700 MEADOW LN N	MINNEAPOLIS	MN	55422
MAGUIRE IRON INC	300 W WALNUT BOX 1446	SIOUX FALLS	SD	57101
MARATHON BUILDERS INC	4144 N CENTRAL #660	DALLAS	TX	75204
MARICK INC	1710 2ND AVE	DES MOINES	IA	50314
MARRS ELECTRIC INC OF ARKANSAS	701 KAWNEER DR	SPRINGDALE	AR	72764
MARSHALL CONSTRUCTION INC	17739 CARTWRIGHT MTN RD	MOUNTAINBURG	AR	72946
MAX TRUE FIREPROOFING CO	6500 S 39TH AVE	TULSA	OK	74132
MBK CONSTRUCTION LTD	175 TECHNOLOGY	IRVINE	CA	92718
MCADAM LLC	720 N CEDAR	MORAN	KS	66755
MCBRIDE ELECTRIC INC	3215 E 9TH N	WICHITA	KS	67208
MCBURNIE CORPORATION THE	4274 SHACKLEFORD RD	NORCROSS	GA	30091
MCCARTIN MECHANICAL CONTRACTOR INC	2999 PARKWAY DR	DECATUR	IL	62526
MCINNIS BROTHERS CONSTRUCTION INC	119 PEARL ST	MINDEN	LA	71058
MCKNIGHT MASONRY	5319 ROSEWOOD DR	ROELAND PARK	KS	66205
MCMASTER CONSTRUCTION INC	138 NE 46TH	OKLAHOMA CITY	OK	73105

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MCPHERSON WRECKING INC	2333 BARTON RD	GRANTVILLE	KS	66429
MEADOWS CONSTRUCTION CO INC	1014 FRONT ST	TONGANOXIE	KS	66086
MERIVIC INC	1050 A W JEFFERSON	MORTON	IL	61550
MERRELL BROS INC	8811 W 500 N	KOKOMO	IN	46901
METRIC VISION	8500 CINDER BED RD STE150	NEWINGTON	VA	22122
MEYERS TURF FARMS INC	19055 METCALF	STILWELL	KS	66085
MICHAEL CONSTRUCTION CO INC	SECONDARY RT 79 BOX 143	DRY BRANCH	WV	25061
MICRO PAVERS INC	127 FAUBER RD	E PEORIA	IL	61611
MID AMERICA ROOFING CONSTRUCTION &	1035 N 69 HWY	FRONTENAC	KS	66763
MID AMERICA SERVICES INC	3981 STATE RT 3 NORTH	CHESTER	IL	62233
MID CO CONTRACTORS INC	P O BOX 391	FORT SCOTT	KS	66701
MID CONTINENTAL RESTORATION CO INC	PO BOX 429	FORT SCOTT	KS	66701
MID STATES MECHANICAL SERVICES INC	HWY 169 SOUTH	MANKATO	MN	56001
MIDLAND WRECKING INC	15 HENNING	LENEXA	KS	66215
MIDWEST CONSTRUCTION SYSTEMS INC	100 MAIN ST STE 504	LITTLE ROCK	AR	72201
MIDWEST ELEVATOR CO INC	1116 E MARKET STREET	INDIANAPOLIS	IN	46202
MIDWEST PUMP & EQUIPMENT CO	2300 S 7TH ST	LINCOLN	NE	68502
MIDWEST TOWERS INC	2806 COUNTRY CLUB DRIVE	CHICKASHA	OK	73018
MIDWESTERN POWER LINE INC	HWY 75, 2 MI NORTH	DEWEY	OK	74029
MIDWESTERN SERVICES INC	1913 7TH ST	SNYDER	TX	79549
MILLER THE DRILLER	5125 E UNIVERSITY	DES MOINES	IA	50317
MILLERS PRO CUT	6410 W 72ND TERR	OVERLAND PARK	KS	66204
MILLGARD CORPORATION THE	12822 STARK RD	LIVONIA	MI	48150
MILLPOINT INDUSTRIES INC	3010 A S ELM EUGENE ST	GREENSBORO	NC	27406
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MISSOURI VALLEY INC	4614 MCCARTY BLVD	AMARILLO	TX	79110
MODERN PIPING INC	P O BOX 128	CEDAR RAPIDS	IA	52406
MOORHEAD ELECTRIC INC	2419 12TH AVE S	MOORHEAD	MN	56560
MORNINGSTAR CONSTRUCTION CO	8751 GODDARD	OVERLAND PARK	KS	66214
MOSLEY ELECTRIC INC	POST OFFICE BOX 789	QUINCY	IL	62301
MOUNTAIN MECHANICAL CONTRACTORS INC	2210 S SCHOOL	FAYETTEVILLE	AR	72701
MOWERY BACKHOE & TRENCHER SERVICE	25374 TONGANOXIE RD	LEAVENWORTH	KS	66048
MULTIPLE CONCRETE ENTERPRISES	1680 W 1000 N	LAYTON	UT	84041
MUNICIPAL PIPE TOOL COMPANY INC	515 5TH ST	HUDSON	IA	50643
MURPHY & SONS ROOFING	1010 NORTH 54TH ST	KANSAS CITY	KS	66102
MUSE EXCAVATION & CONSTRUCTION CO	504 S 8TH ST	ELWOOD	KS	66024
MUSTANG LINE CONTRACTORS INC	9105 N DIVISION ST STE A	SPOKANE	WA	99218
MW BUILDERS OF KANSAS INC	11100 ASH ST STE 210	LEAWOOD	KS	66211
NATGUN CORP	11 TEAL RD	WAKEFIELD	MA	01880
NATIONAL ABATEMENT CORPORATION	3080 N CENTER RD	FLINT	MI	48519
NATIONAL COATING & MFG INC	ROUTE 5 BOX 285	ADA	OK	74820
NATIONAL CONDUCTOR	4146 HWY 371 NORTH	BRAINERD	MN	56401

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NATIONAL CONSTRUCTION SERVICES INC	520 LANCASTER AVE	FRAZER	PA	19355
NATIONAL INDUSTRIAL MAINTENANCE SER	121 EDWARDS DR	JACKSON	TN	38302
NATIONAL SERVICE CLEANING CORP	3575 W 12TH ST	HOUSTON	TX	77008
NATIONAL STEEL ERECTORS	PO BOX 709	MUSKOGEE	OK	74402
NEBRASKA MIDWEST CONSTRUCTION COMPA	406 N 22ND ST	NEBRASKA CITY	NE	68410
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NEWTRON INC	8183 W EL CAJON DR	BATON ROUGE	LA	70815
NHC CONSTRUCTION LLC	5960 DEARBORN STE 15	MISSION	KS	66202
NO FAULT INDUSTRIES INC	11325 PENNYWOOD AVE	BATON ROUGE	LA	70809
NORMENT SECURITY GROUP INC	3224 MOBILE HWY	MONTGOMERY	AL	36108
NORTH CENTRAL BUILDERS INC	321 N BROADWAY	HARTINGTON	NE	68739
NORTH COAST 88 INC	170 EAST MAIN ST	NORWALK	OH	44857
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHERN CLEARING INC	1805 W MAIN ST	ASHLAND	WI	54806
NORTHLAND CONTRACTING INC	HIGHWAY 2 EAST	SHEVLIN	MN	56676
NORTHWEST ENERGY SYSTEMS INC	315 S GREGG ST	FAYETTEVILLE	AR	72701
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643
O & M SERVICES INC	207 E MAIN ST	FAIRFIELD	IL	62837
ODONNELL & SONS CONSTRUCTION CO INC	15301 BROADMOOR ST	OVERLAND PARK	KS	66223
OFALLON ELECTRIC COMPANY	P O BOX 488	OFALLON	IL	62269
OIL FIELD ELECTRIC	P O BOX 247	WEST FRANKFORT	IL	62896
OMNITECH ROBOTICS INC	2640 S RARITAN CIR	ENGLEWOOD	CO	80110
ONEAL ELECTRIC SERVICE INC	3073 MERRIAM LN	KANSAS CITY	KS	66106
P & P CONSTRUCTION CO	1132 E LINCOLN ST	RIVERTON	IL	62561
PAGE AND WAITE INC	7501 S MEMORIAL PKWY #205	HUNTSVILLE	AL	35802
PARADISE FIBERGLASS POOLS INC	3115 N ILL AVE	SWANSEA	IL	62226
PARKWAY CONSTRUCTION & ASSOCIATES I	1660 S STEMMONS #340	LEWISVILLE	TX	75067
PAVEMENT SPECIALISTS INC	15 238 CO RD M1	NAPOLEON	OH	43545
PEOPLE & MACHINES CORP	2468 33RD AVE	COLUMBUS	NE	68601
PERMANENT PAVING INC	8900 INDIAN CREEK PKWY	OVERLAND PARK	KS	66210
PETERSON CONSTRUCTION	1929 W 2ND ST	WEBSTER CITY	IA	50595
PETERSON CONTRACTORS INC	104 BLACKHAWK ST	REINBECK	IA	50669
PHILLIPS & JORDAN INC	6621 WILBANKS RD	KNOXVILLE	TN	37912
PINNACLE CONSTRUCTION INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PIONEER GROUP INC	8600 JUNIPER LANE	PRAIRIE VILLAGE	KS	66207
PITTSBURG TANK & TOWER CO INC	515 PENNEL ST	HENDERSON	KY	42420
PIZZAGALLI CONSTRUCTION COMPANY	50 JOY DR	S BURLINGTON	VT	05407
PLASTOCOR INC	25 INDUSTRIAL PARK RD	HINGHAM	MA	02043
FLOWMAN CONSTRUCTION COMPANY INC	8249 W 95TH ST STE 105	OVERLAND PARK	KS	66212
PNEUMATIC SYSTEMS INSTALLATION INC	11213 RILEY	OVERLAND PARK	KS	66210
PRECAST ERECTORS INC	13400 TRINITY BLVD	EULESS	TX	76040

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PRECISION CASEWORK & TRIM INC	816 SE 83RD ST	OKLAHOMA CITY	OK	73149
PRO QUIP CORPORATION	8522 E 61ST ST	TULSA	OK	74133
PROFORMANCE ELECTRIC INC	11201 W 59TH TER	SHAWNEE	KS	66203
PROGRESSIVE CONTRACTORS INC	14123 42ND ST NE	ST MICHAEL	MN	55376
PULTE HOMES OF GREATER KANSAS CITY	8700 STATE LINE RD #309	LEAWOOD	KS	66206
PYRAMID CONTRACTORS INC	891 W IRONWOOD RD	OLATHE	KS	66061
QUALITY AWNING & CONSTRUCTION CO	7937 SCHAEFER RD	DEARBORN	MI	48126
R & R ELECTRIC INC	HWY 75 N PO BOX 181	BRECKENRIDGE	MN	56520
R IZOKAITIS CONSTRUCTION INC	14817 GRANT ST	OMAHA	NE	68116
R MESSNER CONSTRUCTION CO INC	3595 N WEBB RD #500	WICHITA	KS	67226
R N HARRIS CONSTRUCTION CO	3200 HASKELL AVE STE 140	LAWRENCE	KS	66046
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E US HIGHWAY 80	ABILENE	TX	79601
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
RDC MANUFACTURING INC	200 LUKKEN INDUSTRIAL DR	LA GRANGE	GA	30240
REASONS CONSTRUCTION COMPANY INC	3825 EAST END DR	HUMBOLDT	TN	38343
RECLAMATION ASSOCIATES INC	105 S MAIN	WALNUT	KS	66780
REDDINGER CONSTRUCTORS INC	6301 OLD BOONVILLE HWY	EVANSVILLE	IN	47715
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238
RENIER CONSTRUCTION CORPORATION	2164 CITY GATE DRIVE	COLUMBUS	OH	43219
RENTENBACH CONSTRUCTORS INC	2400 SUTHERLAND AVE	KNOXVILLE	TN	37919
RESERV CONSTRUCTION CO INC	7101 SHARONDALE CT #200	BRENTWOOD	TN	37027
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N	ST PAUL	MN	55042
RETAIL PLANNING & CONSTRUCTION INC	735 BIRCH AVE	BENSALEM	PA	19020
RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
REVENUE SOLUTIONS INC	752 WASHINGTON ST	PEMBROKE	MA	02359
RFB CONSTRUCTION CO INC	3222 NW 160 HWY	CHEROKEE	KS	66724
RICHARD GOETTLE INC	12071 HAMILTON AVE	CINCINNATI	OH	45231
RICHARDSON CORPORATION	WATER PLANT RD	OWINGSVILLE	KY	40360
RJ PITCHER INC	4575 BUCKLEY RD	LIVERPOOL	NY	13088
RMP INC	PO BOX 16141	SHAWNEE	KS	66203
ROBERT W BRITZ PAINTING COMPANY INC	14272 FRAZEE RD	DIVERNON	IL	62530
ROBERTSON PAINTING INC	3116 S ARROWHEAD CT	INDEPENDENCE	MO	64057
ROD BUSTERS INC	624 S MISSOURI ST STE 100	INDIANAPOLIS	IN	46225
ROMAN MOSAIC & TILE CO	1105 SAUNDERS CR	WEST CHESTER	PA	19380
ROSE LAN CONTRACTORS INC	952 OSAGE	KANSAS CITY	KS	66105
ROYAL ELECTRIC CONSTRUCTION INC	7905 MONTICELLO RD	SHAWNEE MISSION	KS	66203
RP INDUSTRIES INC	105 REYNOLDS DR	FRANKLIN	TN	37064
RUSSELL CONSTRUCTION CO	3032 A NORTH FRAZIER ST	CONROE	TX	77303
RUSSIAN CONCRETE CONSTRUCTION	1133 S 205TH	PITTSBURG	KS	66762
RYAN FLOORS INC	305 CARL STREET	ROCKVILLE	MD	20851
S A COMUNALE CO INC	2900 NEWPARK DR	BARBERTON	OH	44203
SAGEZ CONSTRUCTION INC	HC61 BOX 17	HARDIN	IL	62047

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
SCI GENERAL CONTRACTORS INC	4530 BARKSDALE BLVD STE C	BOSSIER CITY	LA	71112
SERRAULT SERVICES OF KANSAS INC	7625 LAKESIDE AVE	MANHATTEN	KS	66502
SERVICEMAGIC INC	1626 COLE BLVD #200	GOLDEN	CO	80401
SERVICEMASTER DESIGN BUILD LLC	8615 FREEPORT PKWY 5-100	IRVING	TX	75063
SGT LTD I	3407 TORREY RD	FLINT	MI	48507
SHAW CONTRACT FLOORING SERVICES INC	616 E WALNUT AVE	DALTON	GA	30722
SHILOH STEEL FABRICATORS INC	200 EAST HWY 264	SPRINGDALE	AR	72764
SIERRA BRAVO INC	7038 STATE HWY 154	SESSER	IL	62884
SKYLIGHT MANUFACTURING INC	1208 ALDINE MAIL RD	HOUSTON	TX	77039
SNELL NORTH CUTT ELECTRIC INC	P O BOX 24601	LITTLE ROCK	AR	72221
SOONER BUILDERS & INVESTMENTS INC	26005 E ADMIRAL	CATOOSA	OK	74015
SOPTIC PANNELL CONSTRUCTION CO INC	2038 S 49TH ST	KANSAS CITY	KS	66106
SOUTHERN ELECTRICAL SERVICES INC	445 METROPLEX DR	NASHVILLE	TN	37211
SPARKS & WIEWEL CONSTRUCTION CO	6200 BROADWAY	QUINCY	IL	62301
SPARROW PLUMBING & HEATING INC	313 DELAWARE	QUINCY	IL	62301
SPECIALTY CONSTRUCTORS INC	2445 ALAMO STREET SE	ALBUQUERQUE	NM	87106
SPINIELLO COMPANIES	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPINIELLO LIMITED INC	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPORTS METALS INC	P O BOX 1338	PHENIX CITY	AL	36968
STEVENS ELECTRIC OF QUINCY INC	526 S 9TH ST	QUINCY	IL	62306
STORY CONSTRUCTION CO	300 S BELL AVE	AMES	IA	50010
STRATEGIC INFORMATION SOLUTIONS	20 N CLARK ST STE 1650	CHICAGO	IL	60602
STRAUB CONSTRUCTION CO INC	10575 WIDMER	LENEXA	KS	66215
STRUDEL ELECTRIC INC	1375 W WALNUT ST	GIRARD	KS	66743
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPERIOR CONCRETE PRODUCTS	P O BOX 201625	ARLINGTON	TX	76006
SUPERIOR FLOORS INC	3225 N PROSPECT RD	PEORIA	IL	61603
SURFACE PREPARATION TECHNOLOGIES INC	81 TEXACO ROAD	MECHANICSBURG	PA	17055
SW FRANKS CONSTRUCTION CO	2070 WEST 3RD ST	CLEVELAND	OH	44113
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SYLVAN INDUSTRIAL PIPING INC	815 AUBURN AVE	PONTIAC	MI	48342
SYRSTONE INC	201 S MAIN ST	NORTH SYRACUSE	NY	13212
T SQUARE MILLWRIGHT SERVICES INC	BOX 519	N WEBSTER	IN	46555
TAFT CONTRACTING CO INC	5525 W ROOSEVELT	CICERO	IL	60804
TANCO ENGINEERING INCORPORATED	1030 BOSTON AVE	LONGMONT	CO	80501
TDB COMMUNICATIONS INC	14808 W 114TH TERRACE	LENEXA	KS	66215
TECH BUILDERS INC	410 DOWNTOWN PLZ	FAIRMONT	MN	56031
TEXAS STONE & TILE INC	2683 LOMBARDY LN	DALLAS	TX	75220
THIEMS CONSTRUCTION CO INC	P O BOX 386	EDWARDSVILLE	IL	62025
THOMAS L BEAR CONSTRUCTION INC	14758 202ND ST	BLOOMFIELD	IA	52537

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
THOMPSON ELECTRIC COMPANY OF OMAHA	P O BOX 207	SIOUX CITY	IA	51102
TIC THE INDUSTRIAL COMPANY	40185 ROUTT COUNTY RD 129	STEAMBOAT SPRGS	CO	80477
TIDY BUILDING SERVICE OF MIDWEST	13818 PEMBROKE	LEAWOOD	KS	66224
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TMI COATINGS INC	2805 DODD RD	EAGAN	MN	55121
TMS DESIGN SERVICES INC	7905 L STREET STE 110	OMAHA	NE	68127
TNT CONSTRUCTION CO INC	144 EASY ST	CAROL STREAM	IL	60188
TOAN INC	5320 SPEAKER ROAD	KANSAS CITY	KS	66106
TONTO CONSTRUCTION INC	HWY 16 W 78TH ST	MUSKOGEE	OK	74401
TRAYLOR BROS INC	835 N CONGRESS AVE	EVANSVILLE	IN	47715
TRI STATE BUILDING SUPPLY CO INC	N HWY 69	PITTSBURG	KS	66762
TRI STATE PAVING INC	STATE LINE RD	PICHER	OK	74360
TRI STATE SIGNING	509 BAILEY AVE	NEW HAMPTON	IA	50659
TRIGON ENGINEERING INC	475 17TH ST STE 300	DENVER	CO	80202
TSC OF KANSAS INC	2200 W 75TH ST STE 15	PRAIRIE VILLAGE	KS	66208
TULSA DYNASPAN INC	1601 E HOUSTON ST	BROKEN ARROW	OK	74012
TWEEDY CONTRACTORS INC	CORNER OF PYBURN & HOELSC	POCAHONTAS	AR	72455
TWIN CITY POOLS INC	948 KANSAS AVE	KANSAS CITY	KS	66105
ULTIMATE THERMAL INC	P O BOX 34818	OMAHA	NE	68134
UNITED CONTRACTORS INC	6678 NW 62ND AVE	JOHNSTON	IA	50131
UNITED EXCEL CORPORATION	8041 W 47 ST STE 100	OVERLAND PARK	KS	66204
UNIVERSAL CONTRACTING CO	1207 LUCAS	BURLINGTON	IA	52601
UNIVERSAL MACHINERY ERECTORS INC	3106 CLAY TURNER RD	PLANT CITY	FL	33566
VAUGHN ELECTRIC CO INC	313 E FLORIDA AVE	UNION CITY	TN	38261
VFP FIRE SYSTEMS INC	825 CORPORATE WOODS PKWY	VERNON HILLS	IL	60061
VISTA CONSTRUCTION INC	2526 EAST 71ST ST STE E	TULSA	OK	74136
VISU SEWER CLEAN & SEAL INC	W230 N4855 BETKER RD	PEWAUKEE	WI	53072
VOLTEK INC	8807 W 89TH ST	OVERLAND PARK	KS	66212
VON ALST INC	2416 SMELTING WORKS RD	BELLEVILLE	IL	62226
VON ROLL INC	3080 NORTHWOODS CIR STE 2	NORCROSS	GA	30071
W G YATES & SONS CONSTRUCTION COMPA	104 GULLY AVENUE	PHILADELPHIA	MS	39350
WACHTER ELECTRIC COMPANY	16001 W 99TH ST	LENEXA	KS	66219
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALT WAGNER CONSTRUCTION INC	305 S 5TH ST	LEAVENWORTH	KS	66048
WALTER CONSTRUCTION USA INC	441 SW 41ST ST	RENTON	WA	98055
WASATCH ELECTRIC A DIVISION OF DYNA	1420 SPRING HILL RD SE500	MCLEAN	VA	22102
WEATHERCRAFT COMPANY OF GRAND ISLAND	312 NORTH ELM STREET	GRAND ISLAND	NE	68801
WEBB ELECTRIC COMPANY	34375 W 12 MILE RD	FARMINGTON HILL	MI	48331
WEBER AIR CONDITIONING CO INC	2501 CONE DR	TARRANT	AL	35217
WEITZ COMPANY INC	800 SECOND AVE	DES MOINES	IA	50309
WELLS & WEST INC	VALLEY VILLAGE SHOPPING C	MURPHY	NC	28906
WELSH COMPANIES	8200 NORMANDALE BLVD #200	MINNEAPOLIS	MN	55437

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
WESSELS CONSTRUCTION CO INC	1800 DES PLAINES AVE	FOREST PARK	IL	61030
WEST SIDE MECHANICAL INC	P O BOX 11247	KANSAS CITY	KS	66111
WESTERN INDUSTRIAL CONTRACTORS INC	5301 JOLIET ST	DENVER	CO	80239
WHITE MOUNTAIN CABLE CONSTRUCTION C	OLD DOVER RD	EPSOM	NH	03234
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD	FORT WALTON BEA	FL	32547
WITCHER CONSTRUCTION CO	9855 W 78TH ST	MINNEAPOLIS	MN	55344
WOODS CONSTRUCTION INC	34650 KLEIN	FRASER	MI	48026
WOODWORKERS OF DENVER INC	1475 S ACOMA ST	DENVER	CO	80223
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211
YAZAKI EDS ENGINEERING INC	6800 HAGGERTY RD	CANTON	MI	48187
YORK CONTRACTORS INC	21025 W 105TH ST	OLATHE	KS	66061
YOUNG INSULATION GROUP OF NASHVILLE INC	7119 COCKRILL BEND IND BL	NASHVILLE	TN	37209
ZIMMERMAN CONSTRUCTION COMPANY INC	11005 W 126TH ST	OVERLAND PARK	KS	66213

Updated: 7/9/2001 8:44:07 AM

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
GENE'S FURNITURE & APPLIANCES, L.L.C.**

On July 25, 2001, Gene's Furniture & Appliances, L.L.C., a Missouri limited liability company (d/b/a Gene's Furniture & Appliances), (hereinafter the "Company") filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State, effective on July 30, 2001.

Any claims against the Company may be sent to: Limbaugh, Russell, Payne & Howard, Attn: Robyn Edwards, P.O. Box 1150, Cape Girardeau, MO 63702-1150. Each claim must include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and documentation for the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

Date of Publication:

_____, 2001

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B3Z02003 Medicaid Managed Care-Western Region 9/17/01;
B3E02031 Janitorial Services 9/18/01
B3Z02009 Conference Services; Columbia, Jefferson City, &
Lake Ozark 9/20/01;
B2Z02021 Medicaid Fraud Detection System 10/2/01.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

IBM 9672-Z87 CPU Upgrade to a 2064-1C9, supplied by IBM Corporation.

James Miluski, CPPO,
Director of Purchasing

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				24 MoReg 2535
	.....				25 MoReg 2478
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 10-5.010	Market Development	26 MoReg 1305R			
	.....	26 MoReg 1305			
2 CSR 70-13.030	Plant Industries		26 MoReg 905.....	This Issue	
2 CSR 80-5.010	State Milk Board		26 MoReg 909.....	26 MoReg 1572	
2 CSR 90-21.060	Weights and Measures		25 MoReg 2788.....	26 MoReg 865	
2 CSR 90-40.010	Weights and Measures		26 MoReg 1129R.....	This IssueR	
2 CSR 90-50.010	Weights and Measures		26 MoReg 1129R.....	This IssueR	
2 CSR 100-10.010	Weights and Measures		26 MoReg 1623		
DEPARTMENT OF CONSERVATION					
3 CSR 10-1.010	Conservation Commission		This Issue		
3 CSR 10-4.113	Conservation Commission		26 MoReg 1130.....	26 MoReg 1572	
3 CSR 10-4.115	Conservation Commission		26 MoReg 1130R.....	26 MoReg 1572R	
3 CSR 10-4.116	Conservation Commission		26 MoReg 1131R.....	26 MoReg 1572R	
3 CSR 10-5.205	Conservation Commission		26 MoReg 1132.....	26 MoReg 1573	
3 CSR 10-5.215	Conservation Commission		26 MoReg 1132.....	26 MoReg 1573	
3 CSR 10-5.216	Conservation Commission		26 MoReg 1132.....	26 MoReg 1573	
3 CSR 10-5.310	Conservation Commission		26 MoReg 1133.....	26 MoReg 1573	
3 CSR 10-5.315	Conservation Commission		26 MoReg 1133.....	26 MoReg 1573	
3 CSR 10-5.320	Conservation Commission		26 MoReg 1133.....	26 MoReg 1573	
3 CSR 10-6.405	Conservation Commission		26 MoReg 1134.....	26 MoReg 1574	
3 CSR 10-6.410	Conservation Commission		26 MoReg 1134.....	26 MoReg 1574	
3 CSR 10-6.505	Conservation Commission		26 MoReg 1135.....	26 MoReg 1574	
3 CSR 10-6.525	Conservation Commission		26 MoReg 1135.....	26 MoReg 1574	
3 CSR 10-9.110	Conservation Commission		26 MoReg 1308	This Issue	
3 CSR 10-9.575	Conservation Commission		26 MoReg 1136.....	26 MoReg 1574	
3 CSR 10-9.625	Conservation Commission		26 MoReg 1136.....	26 MoReg 1574	
3 CSR 10-10.744	Conservation Commission		26 MoReg 1136.....	26 MoReg 1575	
3 CSR 10-11.105	Conservation Commission		26 MoReg 1137.....	26 MoReg 1575	
3 CSR 10-11.110	Conservation Commission		26 MoReg 1137.....	26 MoReg 1575	
3 CSR 10-11.115	Conservation Commission		26 MoReg 1137.....	26 MoReg 1575	
3 CSR 10-11.120	Conservation Commission		26 MoReg 1138.....	26 MoReg 1575	
3 CSR 10-11.130	Conservation Commission		26 MoReg 1138.....	26 MoReg 1575	
3 CSR 10-11.135	Conservation Commission		26 MoReg 1139.....	26 MoReg 1576	
3 CSR 10-11.140	Conservation Commission		26 MoReg 1139.....	26 MoReg 1576	
3 CSR 10-11.145	Conservation Commission		26 MoReg 1139.....	26 MoReg 1576	
3 CSR 10-11.150	Conservation Commission		26 MoReg 1140.....	26 MoReg 1576	
3 CSR 10-11.155	Conservation Commission		26 MoReg 1140.....	26 MoReg 1576	
3 CSR 10-11.160	Conservation Commission		26 MoReg 1140.....	26 MoReg 1576	
3 CSR 10-11.165	Conservation Commission		26 MoReg 1141.....	26 MoReg 1577	
3 CSR 10-11.180	Conservation Commission		26 MoReg 1141.....	26 MoReg 1577	
3 CSR 10-11.182	Conservation Commission		26 MoReg 1144.....	26 MoReg 1577	26 MoReg 1765
3 CSR 10-11.183	Conservation Commission		26 MoReg 1146.....	26 MoReg 1577	
3 CSR 10-11.186	Conservation Commission		26 MoReg 1146.....	26 MoReg 1577	
3 CSR 10-11.187	Conservation Commission		26 MoReg 1147.....	26 MoReg 1577	
3 CSR 10-11.200	Conservation Commission		26 MoReg 1147.....	26 MoReg 1578	
3 CSR 10-11.205	Conservation Commission		26 MoReg 1148.....	26 MoReg 1578	
3 CSR 10-11.210	Conservation Commission		26 MoReg 1149.....	26 MoReg 1578	
3 CSR 10-11.215	Conservation Commission		26 MoReg 1150.....	26 MoReg 1578	
3 CSR 10-11.805	Conservation Commission		26 MoReg 1150R.....	26 MoReg 1578R	
3 CSR 10-12.101	Conservation Commission		26 MoReg 1151.....	26 MoReg 1578	
3 CSR 10-12.105	Conservation Commission		26 MoReg 1151.....	26 MoReg 1579	
3 CSR 10-12.109	Conservation Commission		26 MoReg 1308	This Issue	
3 CSR 10-12.110	Conservation Commission		26 MoReg 1151.....	26 MoReg 1579	
3 CSR 10-12.115	Conservation Commission		26 MoReg 1152.....	26 MoReg 1579	
3 CSR 10-12.125	Conservation Commission		26 MoReg 1153.....	26 MoReg 1579	
3 CSR 10-12.130	Conservation Commission		26 MoReg 1154.....	26 MoReg 1579	
3 CSR 10-12.135	Conservation Commission		26 MoReg 1154.....	26 MoReg 1579	
3 CSR 10-12.140	Conservation Commission		26 MoReg 1154.....	26 MoReg 1580	
3 CSR 10-12.145	Conservation Commission		26 MoReg 1156.....	26 MoReg 1580	
3 CSR 10-12.150	Conservation Commission		26 MoReg 1156.....	26 MoReg 1580	
3 CSR 10-20.805	Conservation Commission		26 MoReg 1157.....	26 MoReg 1580	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.160	Missouri State Board of Accountancy	26 MoReg 1501			
4 CSR 15-1.010	Acupuncturist Advisory Committee		26 MoReg 1624		
4 CSR 15-1.020	Acupuncturist Advisory Committee		26 MoReg 1628		
4 CSR 15-1.030	Acupuncturist Advisory Committee		26 MoReg 1631		
4 CSR 15-2.010	Acupuncturist Advisory Committee		26 MoReg 1631		
4 CSR 15-2.020	Acupuncturist Advisory Committee		26 MoReg 1637		
4 CSR 15-3.010	Acupuncturist Advisory Committee		26 MoReg 1642		
4 CSR 15-3.020	Acupuncturist Advisory Committee		26 MoReg 1647		
4 CSR 15-4.010	Acupuncturist Advisory Committee		26 MoReg 1650		
4 CSR 15-4.020	Acupuncturist Advisory Committee		26 MoReg 1653		
4 CSR 30-8.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1406R 26 MoReg 1406		
4 CSR 30-11.010	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1409R 26 MoReg 1409		
4 CSR 30-11.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1410		
4 CSR 100	Division of Credit Unions			26 MoReg 1476	
	.....			26 MoReg 1542	
	.....			26 MoReg 1598	
	.....			26 MoReg 1765	
	.....				This Issue
4 CSR 100-2.040	Division of Credit Unions		This Issue		
4 CSR 100-2.060	Division of Credit Unions		26 MoReg 1159	26 MoReg 1704	
4 CSR 100-2.160	Division of Credit Unions		This Issue		
4 CSR 110-2.170	Missouri Dental Board		26 MoReg 1414R		
	.....		26 MoReg 1414		
4 CSR 110-2.180	Missouri Dental Board		26 MoReg 1423R		
	.....		26 MoReg 1423		
4 CSR 120-2.100	State Board of Embalmers and Funeral Directors		26 MoReg 1007	26 MoReg 1704	
4 CSR 140-2.070	Division of Finance		26 MoReg 328	26 MoReg 1341	
4 CSR 140-2.138	Division of Finance		26 MoReg 328	26 MoReg 1342	
4 CSR 140-6.085	Division of Finance		26 MoReg 329	26 MoReg 1342	
4 CSR 145-1.040	Missouri Board of Geologist Registration		26 MoReg 1011	26 MoReg 1704	
4 CSR 150-2.050	State Board of Registration for the Healing Arts		26 MoReg 1014	26 MoReg 1705	
4 CSR 150-2.080	State Board of Registration for the Healing Arts		26 MoReg 1014	26 MoReg 1705	
4 CSR 150-2.125	State Board of Registration for the Healing Arts		26 MoReg 1020	26 MoReg 1705	
4 CSR 150-2.165	State Board of Registration for the Healing Arts		26 MoReg 1021	26 MoReg 1705	
4 CSR 150-6.010	State Board of Registration for the Healing Arts		26 MoReg 1656		
4 CSR 150-8.060	State Board of Registration for the Healing Arts		26 MoReg 1023	26 MoReg 1706	
4 CSR 165-1.020	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1656		
4 CSR 165-2.050	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1656		
4 CSR 165-2.060	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1657		
4 CSR 205-4.010	Missouri Board of Occupational Therapy		26 MoReg 859	26 MoReg 1539	
4 CSR 205-4.020	Missouri Board of Occupational Therapy		26 MoReg 859	26 MoReg 1539	
4 CSR 220-2.010	State Board of Pharmacy		26 MoReg 1658		
4 CSR 220-2.032	State Board of Pharmacy		26 MoReg 698	26 MoReg 1539	
4 CSR 220-2.085	State Board of Pharmacy		26 MoReg 1025		
4 CSR 220-4.010	State Board of Pharmacy		26 MoReg 698	26 MoReg 1539	
4 CSR 220-5.020	State Board of Pharmacy		26 MoReg 1025		
4 CSR 233-1.040	State Committee of Marital and Family Therapists		26 MoReg 1309		
4 CSR 233-2.010	State Committee of Marital and Family Therapists		26 MoReg 1309		
4 CSR 233-2.020	State Committee of Marital and Family Therapists		26 MoReg 1310		
4 CSR 233-2.021	State Committee of Marital and Family Therapists		26 MoReg 1311		
4 CSR 233-2.040	State Committee of Marital and Family Therapists		26 MoReg 1312		
4 CSR 240-10.020	Public Service Commission		26 MoReg 1659		
4 CSR 240-21.010	Public Service Commission		26 MoReg 1312		
4 CSR 240-35.010	Public Service Commission		26 MoReg 1659		
4 CSR 240-35.020	Public Service Commission		26 MoReg 1659		
4 CSR 240-35.030	Public Service Commission		26 MoReg 1660R		
4 CSR 240-51.010	Public Service Commission		26 MoReg 1317		
4 CSR 240-120.011	Public Service Commission		26 MoReg 1434		
4 CSR 240-120.065	Public Service Commission		26 MoReg 1434		
4 CSR 240-120.100	Public Service Commission		26 MoReg 1160		
4 CSR 240-121.010	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.020	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.040	Public Service Commission		26 MoReg 1161		
4 CSR 240-121.050	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.055	Public Service Commission		26 MoReg 1434		
4 CSR 240-121.060	Public Service Commission		26 MoReg 1162		
4 CSR 240-121.090	Public Service Commission		26 MoReg 1162		
4 CSR 240-122.010	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.020	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.030	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.040	Public Service Commission		26 MoReg 1435R		
4 CSR 240-122.050	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.060	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.070	Public Service Commission		26 MoReg 1436R		
4 CSR 240-122.080	Public Service Commission		26 MoReg 1437R		
4 CSR 240-122.090	Public Service Commission		26 MoReg 1437R		
4 CSR 240-123.010	Public Service Commission		26 MoReg 1437		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-123.030	Public Service Commission		26 MoReg 1438		
4 CSR 240-123.040	Public Service Commission		26 MoReg 1441		
4 CSR 240-123.065	Public Service Commission		26 MoReg 1444		
4 CSR 240-123.070	Public Service Commission		26 MoReg 1444		
4 CSR 240-123.080	Public Service Commission		26 MoReg 1446		
4 CSR 240-124.010	Public Service Commission		26 MoReg 1446		
4 CSR 240-124.040	Public Service Commission		26 MoReg 1447		
4 CSR 240-124.045	Public Service Commission		26 MoReg 1447		
4 CSR 245-5.010	Real Estate Appraisers		26 MoReg 1026	26 MoReg 1706	
4 CSR 245-5.020	Real Estate Appraisers		26 MoReg 1026	26 MoReg 1706	
4 CSR 255-1.040	Missouri Board for Respiratory Care		26 MoReg 860	26 MoReg 1580	
4 CSR 270-1.011	Missouri Veterinary Medical Board		26 MoReg 1030	26 MoReg 1706	
4 CSR 270-1.021	Missouri Veterinary Medical Board		26 MoReg 1030	26 MoReg 1706	
4 CSR 270-1.050	Missouri Veterinary Medical Board		26 MoReg 1031R	26 MoReg 1706R	
	.....		26 MoReg 1031	26 MoReg 1707	
4 CSR 270-2.011	Missouri Veterinary Medical Board		26 MoReg 1037	26 MoReg 1707	
4 CSR 270-2.021	Missouri Veterinary Medical Board		26 MoReg 1037	26 MoReg 1707	
4 CSR 270-2.052	Missouri Veterinary Medical Board		26 MoReg 1038	26 MoReg 1707	
4 CSR 270-2.070	Missouri Veterinary Medical Board		26 MoReg 1038	26 MoReg 1707	
4 CSR 270-2.071	Missouri Veterinary Medical Board		26 MoReg 1039	26 MoReg 1708	
4 CSR 270-3.020	Missouri Veterinary Medical Board		26 MoReg 1039	26 MoReg 1708	
4 CSR 270-3.030	Missouri Veterinary Medical Board		26 MoReg 1040	26 MoReg 1708	
4 CSR 270-3.040	Missouri Veterinary Medical Board		26 MoReg 1040	26 MoReg 1708	
4 CSR 270-4.042	Missouri Veterinary Medical Board		26 MoReg 1041	26 MoReg 1708	
4 CSR 270-4.050	Missouri Veterinary Medical Board		26 MoReg 1047	26 MoReg 1708	
4 CSR 270-4.060	Missouri Veterinary Medical Board		26 MoReg 1051	26 MoReg 1709	
4 CSR 270-5.011	Missouri Veterinary Medical Board		26 MoReg 1051	26 MoReg 1709	
4 CSR 270-7.020	Missouri Veterinary Medical Board		26 MoReg 1054	26 MoReg 1709	

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5 CSR 30-261.025	Division of School Services		26 MoReg 912	This Issue	
5 CSR 30-345.020	Division of School Services		26 MoReg 1320		
	(<i>Changed to 5 CSR 50-345.020</i>)				
5 CSR 50-345.020	Division of School Improvement		26 MoReg 1320		
	(<i>Changed from 5 CSR 30-345.020</i>)				
5 CSR 60-100.020	Vocational and Adult Education		26 MoReg 915	This Issue	
5 CSR 60-120.010	Vocational and Adult Education		N.A.	26 MoReg 821	
5 CSR 70-742.140	Special Education		N.A.	26 MoReg 1580	
5 CSR 80-800.200	Teacher Quality and Urban Education		26 MoReg 918	This Issue	
5 CSR 80-800.220	Teacher Quality and Urban Education		26 MoReg 918	This Issue	
5 CSR 80-800.230	Teacher Quality and Urban Education		26 MoReg 919	This Issue	
5 CSR 80-800.260	Teacher Quality and Urban Education		26 MoReg 919	This Issue	
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5 CSR 80-800.280	Teacher Quality and Urban Education		26 MoReg 922	This Issue	
5 CSR 80-800.350	Teacher Quality and Urban Education		26 MoReg 923	This Issue	
5 CSR 80-800.360	Teacher Quality and Urban Education		26 MoReg 925	This Issue	
5 CSR 80-800.380	Teacher Quality and Urban Education		26 MoReg 926	This Issue	
5 CSR 80-850.025	Teacher Quality and Urban Education		26 MoReg 1503		
5 CSR 90-7.010	Vocational Rehabilitation		26 MoReg 1506		
5 CSR 90-7.100	Vocational Rehabilitation		26 MoReg 1507		
5 CSR 90-7.200	Vocational Rehabilitation		26 MoReg 1511		
5 CSR 90-7.300	Vocational Rehabilitation		26 MoReg 1514		
5 CSR 90-7.310	Vocational Rehabilitation		26 MoReg 1514		
5 CSR 90-7.320	Vocational Rehabilitation		26 MoReg 1514		
5 CSR 100-200.010	Missouri Commission for the Deaf		26 MoReg 1660R		
		26 MoReg 1660		
5 CSR 100-200.030	Missouri Commission for the Deaf		26 MoReg 1661R		
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5 CSR 100-200.040	Missouri Commission for the Deaf		26 MoReg 1662R		
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5 CSR 100-200.050	Missouri Commission for the Deaf		26 MoReg 1662R		
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5 CSR 100-200.060	Missouri Commission for the Deaf		26 MoReg 1663R		
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5 CSR 100-200.070	Missouri Commission for the Deaf		26 MoReg 1664R		
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5 CSR 100-200.075	Missouri Commission for the Deaf		26 MoReg 1665		
5 CSR 100-200.080	Missouri Commission for the Deaf		26 MoReg 1665		
5 CSR 100-200.085	Missouri Commission for the Deaf		26 MoReg 1666R		
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5 CSR 100-200.090	Missouri Commission for the Deaf		26 MoReg 1666R		
5 CSR 100-200.100	Missouri Commission for the Deaf		26 MoReg 1667R		
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5 CSR 100-200.110	Missouri Commission for the Deaf		26 MoReg 1667R		
5 CSR 100-200.120	Missouri Commission for the Deaf		26 MoReg 1668R		
5 CSR 100-200.125	Missouri Commission for the Deaf		26 MoReg 1668		
5 CSR 100-200.130	Missouri Commission for the Deaf		26 MoReg 1668R		
		26 MoReg 1669		
5 CSR 100-200.140	Missouri Commission for the Deaf		26 MoReg 1670R		
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5 CSR 100-200.150	Missouri Commission for the Deaf		26 MoReg 1670R		
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5 CSR 100-200.170	Missouri Commission for the Deaf		26 MoReg 1673R		
			26 MoReg 1673		
5 CSR 100-200.175	Missouri Commission for the Deaf		26 MoReg 1675R		
5 CSR 100-200.180	Missouri Commission for the Deaf		26 MoReg 1675R		
			26 MoReg 1676		
5 CSR 100-200.200	Missouri Commission for the Deaf		26 MoReg 1676R		
5 CSR 100-200.210	Missouri Commission for the Deaf		26 MoReg 1677R		
			26 MoReg 1677		

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

8 CSR 5-1.010	Administration	26 MoReg 1322R
8 CSR 70-1.010	Missouri Assistive Technology Advisory Council	This Issue
8 CSR 70-1.020	Missouri Assistive Technology Advisory Council	26 MoReg 1568

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9 CSR 10-5.210	Director, Department of Mental Health	26 MoReg 705	26 MoReg 1540
9 CSR 10-7.010	Director, Department of Mental Health	26 MoReg 708	26 MoReg 1709
9 CSR 10-7.020	Director, Department of Mental Health	26 MoReg 710	26 MoReg 1710.....This Issue
9 CSR 10-7.030	Director, Department of Mental Health	26 MoReg 711	26 MoReg 1710.....This Issue
9 CSR 10-7.040	Director, Department of Mental Health	26 MoReg 714	26 MoReg 1711
9 CSR 10-7.050	Director, Department of Mental Health	26 MoReg 714	26 MoReg 1712
9 CSR 10-7.060	Director, Department of Mental Health	26 MoReg 715	26 MoReg 1712
9 CSR 10-7.070	Director, Department of Mental Health	26 MoReg 716	26 MoReg 1712
9 CSR 10-7.080	Director, Department of Mental Health	26 MoReg 717	26 MoReg 1714
9 CSR 10-7.090	Director, Department of Mental Health	26 MoReg 718	26 MoReg 1714
9 CSR 10-7.100	Director, Department of Mental Health	26 MoReg 719	26 MoReg 1714
9 CSR 10-7.110	Director, Department of Mental Health	26 MoReg 719	26 MoReg 1715
9 CSR 10-7.120	Director, Department of Mental Health	26 MoReg 720	26 MoReg 1715
9 CSR 10-7.130	Director, Department of Mental Health	26 MoReg 723	26 MoReg 1715
9 CSR 10-7.140	Director, Department of Mental Health	26 MoReg 725	26 MoReg 1716
9 CSR 30-3.010	Certification Standards	26 MoReg 728R	26 MoReg 1716R
9 CSR 30-3.020	Certification Standards	26 MoReg 728R	26 MoReg 1717R
9 CSR 30-3.022	Certification Standards	26 MoReg 728	26 MoReg 1717
9 CSR 30-3.030	Certification Standards	26 MoReg 729R	26 MoReg 1717R
9 CSR 30-3.032	Certification Standards	26 MoReg 729	26 MoReg 1717
9 CSR 30-3.040	Certification Standards	26 MoReg 730R	26 MoReg 1718R
9 CSR 30-3.050	Certification Standards	26 MoReg 730R	26 MoReg 1718R
9 CSR 30-3.060	Certification Standards	26 MoReg 731R	26 MoReg 1718R
9 CSR 30-3.070	Certification Standards	26 MoReg 731R	26 MoReg 1718R
9 CSR 30-3.080	Certification Standards	26 MoReg 731R	26 MoReg 1718R
9 CSR 30-3.100	Certification Standards	26 MoReg 731	26 MoReg 1718
9 CSR 30-3.110	Certification Standards	26 MoReg 735	26 MoReg 1720
9 CSR 30-3.120	Certification Standards	26 MoReg 737	26 MoReg 1721
9 CSR 30-3.130	Certification Standards	26 MoReg 739	26 MoReg 1722
9 CSR 30-3.132	Certification Standards	26 MoReg 750	26 MoReg 1724
	(<i>Changed from 9 CSR 30-3.610</i>)		
9 CSR 30-3.134	Certification Standards	26 MoReg 753	26 MoReg 1726
	(<i>Changed from 9 CSR 30-3.611</i>)		
9 CSR 30-3.140	Certification Standards	26 MoReg 741	26 MoReg 1726
9 CSR 30-3.150	Certification Standards	26 MoReg 742	26 MoReg 1727
9 CSR 30-3.160	Certification Standards	26 MoReg 742	26 MoReg 1727
9 CSR 30-3.190	Certification Standards	26 MoReg 745	26 MoReg 1728
9 CSR 30-3.192	Certification Standards	26 MoReg 746	26 MoReg 1728
9 CSR 30-3.200	Certification Standards	26 MoReg 747R	26 MoReg 1729R
9 CSR 30-3.201	Certification Standards	26 MoReg 758	26 MoReg 1729
	(<i>Changed from 9 CSR 30-3.700</i>)		
9 CSR 30-3.202	Certification Standards	26 MoReg 760	26 MoReg 1729
	(<i>Changed from 9 CSR 30-3.730</i>)		
9 CSR 30-3.204	Certification Standards	26 MoReg 762	26 MoReg 1729
	(<i>Changed from 9 CSR 30-3.750</i>)		
9 CSR 30-3.206	Certification Standards	26 MoReg 764	26 MoReg 1729
	(<i>Changed from 9 CSR 30-3.760</i>)		
9 CSR 30-3.208	Certification Standards	26 MoReg 768	26 MoReg 1730
	(<i>Changed from 9 CSR 30-3.790</i>)		
9 CSR 30-3.210	Certification Standards	26 MoReg 748R	26 MoReg 1730R
9 CSR 30-3.220	Certification Standards	26 MoReg 748R	26 MoReg 1730R
9 CSR 30-3.230	Certification Standards	26 MoReg 768	26 MoReg 1730
	(<i>Changed from 9 CSR 30-3.800</i>)		
9 CSR 30-3.240	Certification Standards	26 MoReg 748R	26 MoReg 1731R
9 CSR 30-3.250	Certification Standards	26 MoReg 748R	26 MoReg 1731R
9 CSR 30-3.300	Certification Standards	26 MoReg 755	26 MoReg 1731
	(<i>Changed from 9 CSR 30-3.630</i>)		
9 CSR 30-3.400	Certification Standards	26 MoReg 749R	26 MoReg 1731R
9 CSR 30-3.410	Certification Standards	26 MoReg 749R	26 MoReg 1731R
9 CSR 30-3.420	Certification Standards	26 MoReg 749R	26 MoReg 1732R
9 CSR 30-3.500	Certification Standards	26 MoReg 749R	26 MoReg 1732R
9 CSR 30-3.510	Certification Standards	26 MoReg 750R	26 MoReg 1732R
9 CSR 30-3.600	Certification Standards	26 MoReg 750R	26 MoReg 1732R
9 CSR 30-3.610	Certification Standards	26 MoReg 750	26 MoReg 1724
	(<i>Changed to 9 CSR 30-3.132</i>)		

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9 CSR 30-3.611	Certification Standards.....		26 MoReg 753.....	26 MoReg 1726	
	(Changed to 9 CSR 30-3.134)				
9 CSR 30-3.620	Certification Standards.....		26 MoReg 755R.....	26 MoReg 1732R	
9 CSR 30-3.621	Certification Standards.....		26 MoReg 755R.....	26 MoReg 1732R	
9 CSR 30-3.630	Certification Standards.....		26 MoReg 755.....	26 MoReg 1731	
	(Changed to 9 CSR 30-3.300)				
9 CSR 30-3.700	Certification Standards.....		26 MoReg 758.....	26 MoReg 1729	
	(Changed to 9 CSR 30-3.201)				
9 CSR 30-3.710	Certification Standards.....		26 MoReg 759R.....	26 MoReg 1733R	
9 CSR 30-3.720	Certification Standards.....		26 MoReg 759R.....	26 MoReg 1733R	
9 CSR 30-3.730	Certification Standards.....		26 MoReg 760.....	26 MoReg 1729	
	(Changed to 9 CSR 30-3.202)				
9 CSR 30-3.740	Certification Standards.....		26 MoReg 762R.....	26 MoReg 1733R	
9 CSR 30-3.750	Certification Standards.....		26 MoReg 762.....	26 MoReg 1729	
	(Changed to 9 CSR 30-3.204)				
9 CSR 30-3.760	Certification Standards.....		26 MoReg 764.....	26 MoReg 1729	
	(Changed to 9 CSR 30-3.206)				
9 CSR 30-3.770	Certification Standards.....		26 MoReg 767R.....	26 MoReg 1733R	
9 CSR 30-3.780	Certification Standards.....		26 MoReg 767R.....	26 MoReg 1733R	
9 CSR 30-3.790	Certification Standards.....		26 MoReg 768.....	26 MoReg 1730	
	(Changed to 9 CSR 30-3.208)				
9 CSR 30-3.800	Certification Standards.....		26 MoReg 768.....	26 MoReg 1730	
	(Changed to 9 CSR 30-2.230)				
9 CSR 30-3.810	Certification Standards.....		26 MoReg 772R.....	26 MoReg 1733R	
9 CSR 30-3.820	Certification Standards.....		26 MoReg 772R.....	26 MoReg 1734R	
9 CSR 30-3.830	Certification Standards.....		26 MoReg 772R.....	26 MoReg 1734R	
9 CSR 30-3.840	Certification Standards.....		26 MoReg 773R.....	26 MoReg 1734R	
9 CSR 30-3.850	Certification Standards.....		26 MoReg 773R.....	26 MoReg 1734R	
9 CSR 30-3.851	Certification Standards.....		26 MoReg 773R.....	26 MoReg 1734R	
9 CSR 30-3.852	Certification Standards.....		26 MoReg 774R.....	26 MoReg 1734R	
9 CSR 30-3.853	Certification Standards.....		26 MoReg 774R.....	26 MoReg 1735R	
9 CSR 30-3.860	Certification Standards.....		26 MoReg 774R.....	26 MoReg 1735R	
9 CSR 30-3.870	Certification Standards.....		26 MoReg 774R.....	26 MoReg 1735R	
9 CSR 30-3.880	Certification Standards.....		26 MoReg 775R.....	26 MoReg 1735R	
9 CSR 30-3.890	Certification Standards.....		26 MoReg 775R.....	26 MoReg 1735R	
9 CSR 30-3.900	Certification Standards.....		26 MoReg 775R.....	26 MoReg 1735R	
9 CSR 30-3.910	Certification Standards.....		26 MoReg 775R.....	26 MoReg 1736R	
9 CSR 30-3.920	Certification Standards.....		26 MoReg 776R.....	26 MoReg 1736R	
9 CSR 30-3.930	Certification Standards.....		26 MoReg 776R.....	26 MoReg 1736R	
9 CSR 30-3.940	Certification Standards.....		26 MoReg 776R.....	26 MoReg 1736R	
9 CSR 30-3.950	Certification Standards.....		26 MoReg 776R.....	26 MoReg 1736R	
9 CSR 30-3.960	Certification Standards.....		26 MoReg 777R.....	26 MoReg 1736R	
9 CSR 30-3.970	Certification Standards.....		26 MoReg 777R.....	26 MoReg 1737R	
9 CSR 30-4.010	Certification Standards.....		26 MoReg 777.....	26 MoReg 1737	
9 CSR 30-4.020	Certification Standards.....		26 MoReg 778.....	26 MoReg 1737	
9 CSR 30-4.030	Certification Standards.....		26 MoReg 780.....	26 MoReg 1737	
9 CSR 30-4.031	Certification Standards.....		26 MoReg 781.....	26 MoReg 1738	
9 CSR 30-4.032	Certification Standards.....		26 MoReg 783.....	26 MoReg 1738	
9 CSR 30-4.033	Certification Standards.....		26 MoReg 784.....	26 MoReg 1738	
9 CSR 30-4.034	Certification Standards.....		26 MoReg 785.....	26 MoReg 1738	
9 CSR 30-4.035	Certification Standards.....		26 MoReg 787.....	26 MoReg 1739	
9 CSR 30-4.036	Certification Standards.....		26 MoReg 789R.....	26 MoReg 1740R	
9 CSR 30-4.037	Certification Standards.....		26 MoReg 790R.....	26 MoReg 1740R	
9 CSR 30-4.038	Certification Standards.....		26 MoReg 790.....	26 MoReg 1741	
9 CSR 30-4.039	Certification Standards.....		26 MoReg 791.....	26 MoReg 1741	
9 CSR 30-4.040	Certification Standards.....		26 MoReg 791.....	26 MoReg 1741	
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9 CSR 30-4.043	Certification Standards.....		26 MoReg 793.....	26 MoReg 1741	
9 CSR 30-4.044	Certification Standards.....		26 MoReg 795R.....	26 MoReg 1742R	
9 CSR 30-4.100	Certification Standards.....		26 MoReg 795R.....	26 MoReg 1742R	
9 CSR 30-4.110	Certification Standards.....		26 MoReg 795R.....	26 MoReg 1742R	
9 CSR 30-4.120	Certification Standards.....		26 MoReg 796R.....	26 MoReg 1742R	
9 CSR 30-4.130	Certification Standards.....		26 MoReg 796R.....	26 MoReg 1743R	
9 CSR 30-4.140	Certification Standards.....		26 MoReg 796R.....	26 MoReg 1743R	
9 CSR 30-4.150	Certification Standards.....		26 MoReg 796R.....	26 MoReg 1743R	
9 CSR 30-4.160	Certification Standards.....		26 MoReg 797.....	26 MoReg 1743	
9 CSR 30-4.170	Certification Standards.....		26 MoReg 798R.....	26 MoReg 1743R	
9 CSR 30-4.180	Certification Standards.....		26 MoReg 798R.....	26 MoReg 1744R	
9 CSR 30-4.190	Certification Standards.....		26 MoReg 798.....	26 MoReg 1744	
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10 CSR 10-2.210	Air Conservation Commission.....		26 MoReg 507.....	26 MoReg 1744	
10 CSR 10-6.050	Air Conservation Commission.....		26 MoReg 1456		
10 CSR 10-6.110	Air Conservation Commission.....		26 MoReg 1322		This Issue
10 CSR 10-6.280	Air Conservation Commission.....		26 MoReg 1570		
10 CSR 10-6.400	Air Conservation Commission.....		26 MoReg 344.....	26 MoReg 1540	
10 CSR 20-4.023	Clean Water Commission.....		26 MoReg 860		
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10 CSR 23-3.100	Division of Geology and Land Survey.....		26 MoReg 1163		
10 CSR 25	Hazardous Waste Management Commission.....				25 MoReg 2597RUC
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10 CSR 25-4.261	Hazardous Waste Management Commission	26 MoReg 521	26 MoReg 1752
10 CSR 25-5.262	Hazardous Waste Management Commission	.....	26 MoReg 523	.....	26 MoReg 1752
10 CSR 25-7.264	Hazardous Waste Management Commission	.....	26 MoReg 530	.....	26 MoReg 1753
10 CSR 25-7.265	Hazardous Waste Management Commission	.....	26 MoReg 531	.....	26 MoReg 1753
10 CSR 25-7.266	Hazardous Waste Management Commission	.....	26 MoReg 532	.....	26 MoReg 1753
10 CSR 25-7.268	Hazardous Waste Management Commission	.....	26 MoReg 533	.....	26 MoReg 1753
10 CSR 25-7.270	Hazardous Waste Management Commission	.....	26 MoReg 535	.....	26 MoReg 1754
10 CSR 25-8.124	Hazardous Waste Management Commission	.....	26 MoReg 538	.....	26 MoReg 1754
10 CSR 25-9.020	Hazardous Waste Management Commission	.....	26 MoReg 541	.....	26 MoReg 1754
10 CSR 25-10.010	Hazardous Waste Management Commission	.....	26 MoReg 545	.....	26 MoReg 1755
10 CSR 25-11.279	Hazardous Waste Management Commission	.....	26 MoReg 547	.....	26 MoReg 1755
10 CSR 25-12.010	Hazardous Waste Management Commission	.....	26 MoReg 548	.....	26 MoReg 1755 25 MoReg 2253
10 CSR 25-13.010	Hazardous Waste Management Commission	.....	26 MoReg 554	.....	26 MoReg 1755
10 CSR 25-15.010	Hazardous Waste Management Commission	.....	26 MoReg 559	.....	26 MoReg 1756
10 CSR 25-16.273	Hazardous Waste Management Commission	.....	26 MoReg 560	.....	26 MoReg 1756
10 CSR 40-10.020	Land Reclamation Commission	.....	This Issue		
10 CSR 40-10.050	Land Reclamation Commission	.....	This Issue		
10 CSR 60-7.020	Land Reclamation Commission	.....	This Issue		
10 CSR 60-10.040	Land Reclamation Commission	.....	This Issue		
10 CSR 60-13.010	Public Drinking Water Program	..... 26 MoReg 1257	.....	26 MoReg 563	..... 26 MoReg 1583
10 CSR 60-13.020	Public Drinking Water Program	.....	26 MoReg 569	.....	26 MoReg 1584
10 CSR 60-13.025	Public Drinking Water Program	.....	26 MoReg 571	.....	26 MoReg 1584
10 CSR 60-14.020	Public Drinking Water Program	.....			This Issue
10 CSR 60-15.020	Public Drinking Water Program	.....	This Issue		
10 CSR 60-15.030	Public Drinking Water Program	This Issue		
10 CSR 60-15.050	Public Drinking Water Program	This Issue		
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10 CSR 60-15.090	Public Drinking Water Program	This Issue		

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11 CSR 30-7.010	Office of the Director	This Issue		
11 CSR 40-5.065	Division of Fire Safety 26 MoReg 1125	26 MoReg 1173 This Issue
11 CSR 40-6.060	Division of Fire Safety	..... 26 MoReg 857			
11 CSR 45-3.010	Missouri Gaming Commission	.....	26 MoReg 1259		
11 CSR 45-4.380	Missouri Gaming Commission	.....	26 MoReg 1259		
11 CSR 45-5.030	Missouri Gaming Commission	.....	26 MoReg 799	.....	26 MoReg 1585
11 CSR 45-5.100	Missouri Gaming Commission	.....	26 MoReg 1054	.....	This Issue
11 CSR 45-5.237	Missouri Gaming Commission	.....	26 MoReg 1054	.....	This Issue
11 CSR 45-7.030	Missouri Gaming Commission	.....	26 MoReg 799	.....	26 MoReg 1585
11 CSR 45-7.040	Missouri Gaming Commission	.....	26 MoReg 802	.....	26 MoReg 1587
11 CSR 45-7.050	Missouri Gaming Commission	.....	26 MoReg 804	.....	26 MoReg 1588
11 CSR 45-7.080	Missouri Gaming Commission	.....	26 MoReg 806	.....	26 MoReg 1588
11 CSR 45-7.130	Missouri Gaming Commission	.....	26 MoReg 806	.....	26 MoReg 1588
11 CSR 45-7.150	Missouri Gaming Commission	.....	26 MoReg 806	.....	26 MoReg 1588
11 CSR 45-12.090	Missouri Gaming Commission	26 MoReg 1055	This Issue
11 CSR 45-12.091	Missouri Gaming Commission	26 MoReg 1057	This Issue
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12 CSR 10-3.020	Director of Revenue	26 MoReg 928R	26 MoReg 1589R
12 CSR 10-3.022	Director of Revenue	26 MoReg 928R	26 MoReg 1589R
12 CSR 10-3.023	Director of Revenue	26 MoReg 928R	26 MoReg 1589R
12 CSR 10-3.024	Director of Revenue	26 MoReg 928R	26 MoReg 1589R
12 CSR 10-3.060	Director of Revenue	26 MoReg 929R	26 MoReg 1589R
12 CSR 10-3.066	Director of Revenue	26 MoReg 929R	26 MoReg 1590R
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12 CSR 10-3.208	Director of Revenue	26 MoReg 933R	26 MoReg 1592R
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12 CSR 10-3.456	Director of Revenue		26 MoReg 934R.....	26 MoReg 1593R	
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12 CSR 10-5.025	Director of Revenue		26 MoReg 936R.....	26 MoReg 1594R	
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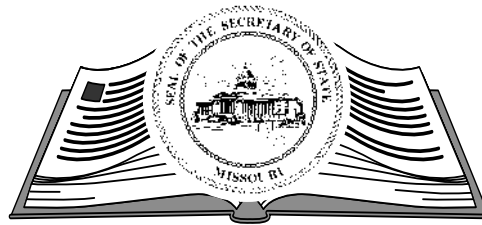
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